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THE CHARTER

OF THE

CITY OF NASHVILLE

1921



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LOS ANGELES

THE CHARTER
OF THE
CITY OF NASHVILLE

MAYOR AND CITY COUNCIL
FORM OF GOVERNMENT

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NASHVILLE, TENN.
AMBROSE PRINTING COMPANY
1921

TABLE OF CONTENTS.

Charter Act	Page 5-94
Act Extending Corporate Limits	95-101

CHAPTER 193.

PRIVATE ACTS OF 1921.

HOUSE BILL NO. 505.

(By Davidson County Delegation).

A BILL to be entitled An Act to create a municipal corporation to be known as the "City of Nashville," and to define its rights, powers, duties and obligations, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there is hereby created a municipal corporation and body politic, to be known and designated as the "City of Nashville," the boundaries of which shall be co-extensive with the present limits of the municipal corporation, City of Nashville, which was chartered under Chapter (22) of the Private Acts of 1913.

Said municipal corporation shall be divided into fifteen (15) wards.

The First Ward shall include all the area within the following boundaries, to-wit:

Beginning at Jefferson Street, on the Cumberland River; thence west along the center of Jefferson Street to the intersection of Eighteenth Avenue, North; thence north along the center of Eighteenth Avenue, North, to Bosley, or Heiman Street; thence West along the center line of Bosley Street to Twenty-first Avenue, North; the corporation line; thence northwardly and eastwardly along the corporation line as it now exists to the Cumberland River; thence southwardly with the Cumberland River to the point of beginning.

The boundary lines of the Second Ward shall be as follows:

Beginning at Jefferson Street and the Cumberland River; thence westwardly along the center of Jefferson Street to the intersection of Ninth Avenue, North; thence southwardly along the center of Ninth Avenue, North, to the center of Jo Johnson Avenue; thence eastwardly along Jo Johnson Avenue to the center of Fourth Avenue, North; thence southwardly along the center of Fourth Avenue, North, to the center of Broadway; thence westwardly with the center of Broadway to the center of Fifth Avenue; thence southwardly along the center of Fifth Avenue, South, to the center of Peabody Street; thence eastwardly with the center of Peabody Street and the extension thereof to the Cumberland River; thence northwardly on Cumberland River to the intersection of Jefferson Street, the point of beginning.

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ALPINE BOOK CO.

Municipal Corporation Created

Boundaries

15 Wards

Boundaries of

First Ward

Second Ward

Third Ward The boundary lines of the Third Ward shall be as follows: Beginning at the intersection of Fourth Avenue and Jo Johnson Avenue; thence westerly along the center of Jo Johnson Avenue to the center of 10th Avenue, N., thence southwardly along the center of 10th Avenue to the center of Broadway; thence westerly along the center of Broadway to the easterly boundary line of the Louisville & Nashville railroad terminal yards; thence southwardly continuing with the easterly line of the right of way of the Nashville & Chattanooga Railroad to the center of 8th Avenue South; thence northerly with the center of 8th Avenue, South, to the center of Lea Avenue; thence southeasterly with the center of Lee Avenue, to the center of 7th Avenue; thence northwardly along the center of 7th Avenue South, to the center of Peabody St.; thence easterly along the center of Peabody to the center of 5th Avenue, South; thence northerly along the center of 5th Avenue, to the center of Broadway; thence easterly along the center of Broadway to the center of 4th Avenue; thence northerly along the center of 4th Avenue, North, to the center of Jo Johnson Avenue, to the point of beginning.

Fourth Ward The boundary lines of the Fourth Ward shall be as follows: Beginning at the center of Peabody Street as extended and the Cumberland River; thence westwardly along the center of Peabody Street to the center of Seventh Avenue, South; thence southwardly along the center of Seventh Avenue, South, to the center of Lea Avenue; thence westwardly along the center of Lea Avenue to the center of Eighth Avenue, South, thence southwardly along the center of Eighth Avenue, South; to the center of the North-bound main track of the Nashville, Chattanooga and St. Louis Railway, thence southwardly with the center of said track to the center of Ewing Avenue; thence northwardly with the center of Ewing Avenue to the center of Troost Street; thence eastwardly with the center of Troost Street to the center of Sixth Avenue, South, thence southwardly with the center of Sixth Avenue, South, to the center of Mulberry Street, thence eastwardly with the center of Mulberry Street, to the center of Third Avenue, South; thence southwardly with the center of Third Avenue, South, to the center of Center Street; thence easterly with the center of Center Street to the center of Second Avenue, South; thence southwardly with the center of Second Avenue, South, to the center of Carroll Street; thence easterly with the center of Carroll Street, to the center of Wharf Avenue; thence southwardly with the center of Wharf Avenue, to the center of First Avenue, South, formerly Maple Street; thence southeastwardly with the center of Maple Street to the center of South Hill Street; thence eastwardly along the center of

South Hill Street to the corporation line as it now exists; thence eastwardly along said corporation line to the Cumberland River; thence northwardly along the Cumberland River to the point of beginning.

The boundary lines of the Fifth Ward shall be as follows:

Beginning at the center of South Hill Street, where it intersects the present corporation line; thence following the meanderings of the present corporation line to the center of Argyle Avenue, where it intersects said corporation line; thence westwardly with the center of Argyle Avenue to the center of Tenth Avenue, South; thence southwardly along the center of Tenth Avenue, South to the center of Wallace Street; thence westwardly with the center of Wallace Street to the center of Twelfth Avenue, South; thence northwardly with the center of Twelfth Avenue, South, to the center of Gleaves Street; thence eastwardly with the center of Gleaves Street to the intersection of Eight Avenue, South; crossing the tracks of the Nashville Terminals over Eighth Avenue, South, to the center of the Nashville, Chattanooga & St. Louis Railway north-bound main track; thence southeastwardly with the center of said railroad track to the center of Ewing Avenue; thence northwardly with the center of Ewing Avenue, to the center of Troost Street; thence eastwardly with the center of Troost Street to the center of Sixth Avenue, South; thence southwardly with the center of Sixth Avenue, South, to the center of Mulberry Street; thence eastwardly with the center of Mulberry Street to the center of Third Avenue, South; thence southwardly with the center of Third Avenue, South, to the center of Center Street; thence eastwardly with the center of Center Street to the center of Second Avenue, South; thence southwardly with the center of Second Avenue, South, to the center of Carroll Street; thence eastwardly with the center of Carroll Street to the center of Wharf Avenue; thence southwardly with the center of Wharf Avenue, to the center of First Avenue, South, or Maple Street; thence southeastwardly with the center of First Avenue, South, or Maple Street, to the center of South Hill Street; thence eastwardly to the corporation line, the point of beginning.

The boundary lines of the Sixth Ward shall be as follows:

Beginning at the center of Broadway where it would intersect the eastern margin of the property of the Louisville & Nashville Terminal Company; thence westwardly with the center of Broadway to the center of Fifteenth Avenue, on the North; thence northwardly with the center of Fifteenth Avenue, North, to the center of the alley North of Hayes Street and South of Church Street; thence westwardly along the center of said alley to the center of Twentieth Avenue, North; thence northwardly along the center of Twentieth Avenue, North, to the center of Church Street; thence

westwardly along the center of Church Street to the center of Twenty-first Avenue, North; thence southwardly along the center of Twenty-first Avenue, North, and Twenty-first Avenue, South, to the intersection of Edgehill Avenue; thence eastwardly along the center of Edgehill Avenue to the center of Twelfth Avenue, South; thence northwardly along the center of Twelfth Avenue, South, to the center of Gleaves Street; thence eastwardly along the center of Gleaves Street to the overhead bridge at Eighth Avenue, South, crossing said bridge to the eastern boundary of the Louisville and Nashville Terminal Company's yards and thence westwardly and northerly along said Company's right of way to the center of Broadway, the point of beginning.

Seventh Ward. The boundary lines of the Seventh Ward shall be as follows: Beginning at the center of Jefferson Street at its intersection with Ninth Avenue, North, thence westwardly along the center of Jefferson Street to the center of Eighteenth Avenue, North, thence northwardly along the center of Eighteenth Avenue, North, to Bosley or Heiman Street; thence westwardly along the center of Bosley or Heiman Street to the present corporation line; thence following said corporation line in a southerly and westwardly direction to the right of way of the Tennessee Central Railroad; thence southwardly along the line of the Tennessee Central Railroad to Batavia Street; thence eastwardly along the center of Batavia Street to Twentieth Avenue, North; thence southwardly along the center of Twentieth Avenue, North, to the intersection of the alley south of Church Street and north of Hayes Street; thence eastwardly along the center of said alley to Fifteenth Avenue, North; thence southwardly along the center of Fifteenth Avenue, North, to the center of Broadway; thence eastwardly along the center of Broadway, to the intersection of Tenth Avenue on the north side of Broadway; thence northwardly along the center of Tenth Avenue, North, to Jo Johnston Avenue; thence eastwardly along the center of Jo Johnston Avenue to the center of Ninth Avenue, North; thence northwardly along the center of Ninth Avenue, North, to the center of Jefferson Street, the point of beginning.

Eighth Ward. The boundary lines of the Eighth Ward shall be as follows: Beginning at the center of the intersection of Argyle Avenue, and the corporation line; following the meanderings of the corporation line in a westerly direction to the intersection of Twenty-first Avenue, South, and Belcourt Street; thence eastwardly along the center of Belcourt Street extended to the center of Twelfth Avenue, South; thence along the center of Twelfth Avenue, South, to the center of Wallace Street; thence eastwardly along the center of Wallace Street to the center of Tenth Avenue, South; thence along the center of Tenth Avenue, South, to the center of Argyle

Avenue; thence eastwardly along the center of Argyle Avenue to the corporation line, the point of beginning.

The boundary lines of the Ninth Ward shall be as follows:

Ninth Ward

Beginning at the center of Belcourt Street where it intersects Twelfth Avenue, South; thence westwardly along the center of Belcourt Street to the center of Twenty-first Avenue, South; thence northwardly along the center of Twenty-first Avenue, South; to the center of Blakemore Street; thence westwardly and northerly along the corporation line as it now exists to where it intersects West End Avenue; thence eastwardly along the center of West End Avenue to the center of Twenty-eighth Avenue; thence southerly on Twenty-eighth Avenue to the center of Garland Avenue extended; thence eastwardly along the center of Garland Avenue to the center of Twenty-first Avenue, South; thence along the center of Twenty-first Avenue, South, to the center of Edgehill Avenue; thence eastwardly along the the center of Edgehill Avenue to the center of Twelfth Avenue, South; thence southwardly along the center of Twelfth Avenue, South, to the center of Belcourt Street, the point of beginning.

The boundary lines of the Tenth Ward shall be as follows:

Tenth Ward

Beginning at the center of the intersection of Church Street and Twentieth Avenue, North; thence along the center of Twentieth Avenue, North, to the center of the main line of the Nashville, Chattanooga and St. Louis Railway; thence westwardly along the center of the main line of the Nashville, Chattanooga and St. Louis Railway, to the corporation line; thence southwardly along the corporation line to the center of West End Avenue; thence eastwardly along the center of West End Avenue; to the center of Twenty-eighth Avenue, thence southwardly along the center of Twenty-eighth Avenue, to Garland Avenue; thence eastwardly along the center of Garland Avenue to the center of Twenty-first Avenue; thence northwardly along the center of Twenty-first Avenue to the center of Church Street; thence eastwardly along the center of Church Street to Twentieth Avenue, North, the point of beginning.

The boundary lines of the Eleventh Ward shall be as follows:

Eleventh Ward

Beginning at the intersection of the Nashville, Chattanooga and St. Louis Railway and Minnesota or Murphy Avenue; thence eastwardly along the center of the Nashville, Chattanooga and St. Louis Railway right of way to the center of Twentieth Avenue, North; thence northwardly along the center of Twentieth Avenue, North, to the center of Batavia Street; thence westwardly along the center of Batavia Street to The Tennessee Central Railroad; thence northwardly along the Tennessee Central Railroad to the corporation line; thence westwardly, southwardly and east-

wardly, following the present corporation line to the intersection of The Nashville, Chattanooga and St. Louis Railway and Minnesota or Murphy Avenue, the point of beginning.

Twelfth Ward The boundary lines of the Twelfth Ward shall be as follows:

Beginning at the present corporation line where Hancock Street if extended would intersect the Cumberland River; thence eastwardly along the present corporation line to First Street; thence southwardly along the center of First Street to Foster Street; thence eastwardly along the center of Foster Street to the center of the Louisville and Nashville Railroad Company's right of way; thence northwardly along the Louisville and Nashville Railroad Company's right of way to the center of Marina Street; thence eastwardly along the center of Marina Street to the center of North Ninth Street; thence southwardly along the center of Ninth Street to an alley (150) feet South of the South property line on Main Street; thence westwardly with said line or alley extended to the center of Fourth Street; thence southwardly along the center of Fourth Street to the center of Sylvan Street; thence eastwardly along the center of Sylvan Street to the center of Seventh Street; thence southwardly along the center of Seventh Street to the corporation line; thence with the corporation line and Cumberland River in a northerly direction to the point of beginning.

Thirteenth Ward. The boundary lines of the Thirteenth Ward shall be as follows:

Beginning at the intersection of First Street and Hancock Street; thence southwardly along the center of First Street, to Foster Street; thence eastwardly along the center of Foster Street to the center of the right of way of the Louisville and Nashville Railroad Company; thence northwardly along the center of said right of way to Marina Street; thence eastwardly along the center of Marina Street to Ninth Street; thence southwardly along the center of Ninth Street to the center of Main Street; thence eastwardly along the center of Main Street and the Gallatin Road, to the corporation line; thence northwardly and westwardly with the corporation line to the point of beginning.

Fourteenth Ward. The boundary lines of the Fourteenth Ward shall be as follows:

Beginning at the intersection of South Fourth Street and Sylvan Street; thence northeastwardly along the center of Fourth Street to the line or alley one hundred and five feet south of Main Street; thence eastwardly along said line or alley to the center of Ninth Street; thence northwardly along the center of Ninth Street to the center of Main Street; thence northeastwardly along the center of Main Street and the Gallatin Road to Ordway Place; thence eastwardly along the center of Ordway Place to Fourteenth Street; thence southwardly along the center of Fourteenth Street to the

corporation line; thence following said corporation line to the intersection of Seventh Street and Tenth Street extended, thence northwardly along the center of Seventh Street to Sylvan Street; thence westwardly along the center of Sylvan Street to the center of Fourth Street, the point of beginning.

The boundary lines of the Fifteenth Ward shall be as follows:

Beginning at the intersection of South Fourteenth Street, extended, and the Cumberland River; thence northwardly along the center of Fourteenth Street to Ordway Place; thence westwardly along the center of Ordway Place to the Gallatin Road; thence northwardly along the center of the Gallatin Road to the corporation line; thence southwardly and eastwardly with the present corporation line to the Cumberland River, and thence northwardly with the Cumberland River to the point of beginning.

Additional territory may be taken into the city limits in the manner following:

Whenever a petition shall be presented to the City Council, signed by not less than fifty per cent of the qualified voters residing in such territory, computed upon the number of votes cast at the last general State election held therein, describing the boundaries of such territory, and praying to be annexed to the City of Nashville, said proposition may by the City Council be submitted to the voters of such territory at a special election to be called and held for that purpose, and said City Council shall cause a copy of said petition and notice of such election to be published in a newspaper of general circulation in the City of Nashville, once a week for four (4) weeks preceding said election. All of the electors voting in said election shall indicate their preference by placing a cross mark opposite the questions appearing on the ballot: "For annexation," "Against annexation;" and all such elections shall be called, held, conducted, and the returns thereof canvassed and the result declared in all respects as in the case of general municipal elections.

In the event that a majority of the qualified voters of said territory voting on said proposition shall vote for annexation then the proper governing authorities of the City are hereby authorized and directed to take said territory into the City; but no territory shall be annexed to the City except by consent of said City as evidenced by ordinances consenting thereto.

SEC. 2. *Be it further enacted,* That said corporation shall have perpetual succession; and have power to sue and be sued. It may purchase, receive, condemn and hold property in fee simple, or other lesser estate, real, personal or mixed, for corporation purposes, both within and without the corporate limits of the City, and it shall have power to sell lease and dispose of said property at its reasonable market value, to the same extent as natural persons.

It shall have the power to manage, operate, and control such property, and make any and all rules and regulations, by ordinance and resolution, which may be required to carry out fully the provisions of any conveyance, deed or will in relation to any gift or bequest, or the provisions of any lease by which it may acquire property; it may assess, levy and collect taxes for general and special purposes, on all the subjects or objects which the city may lawfully tax under the laws of the State and the provisions of this Act; it may acquire, construct, own, lease and operate any public utilities; it may levy and collect assessments for local improvements; it may borrow money on the faith and credit of the City by the issuance or sale of bonds or notes of the City; may appropriate the money of the City for all purposes lawful under the provisions of this Act; it may create, provide for, construct, operate, regulate and maintain all things of the nature of public works and improvements; it may license and regulate persons, corporations and associations engaged in any business, occupation, profession or trade; it may define, prohibit, regulate, abate, suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City, and all nuisances and causes thereof; it may do all things necessary to promote the health, convenience and welfare of its citizens, and for said purposes it may exercise all of the power conferred in this Act; it may regulate and prescribe the construction and the material used in all buildings and the maintenance and occupation thereof; it may regulate and control the use, for whatever purposes, of the Streets, and other public places; it may create, establish and abolish and organize offices, and fix the salaries and compensation of all officers and employes, by ordinance, as herein provided; it may make and enforce local police, sanitary and other regulations; it may pass such ordinances as may be deemed expedient for maintaining and promoting the peace, the good government and the welfare of the City, and for the performance of the functions thereof.

It shall have all powers that are now or hereafter may be granted to municipalities under the constitution or the laws of the State of Tennessee that are general in their nature, and all powers, whether express or implied, shall be exercised and enforced in the manner prescribed in this Act, or when not prescribed herein, in such manner as shall be provided according to this Act or by the laws of the State.

It shall have for use a common seal, which it may alter at pleasure.

SEC. 3. *Be it further enacted*, That all legislative powers of this municipal corporation except as otherwise provided in this Act shall be vested in a legislative body, which shall be designated "City Council."

The City Council shall be composed of fifteen (15) council-

Seal

Legislative
Body

"City Council"

men, one of whom shall reside in and be elected from each of the several wards of the city as hereinabove constituted and by the qualified voters of the ward from which he is elected; the election of said members to be at the general city election to be held on the fourth Thursday in September, and to be for a term of four (4) years, and their terms of office to begin on the Tuesday following the second Thursday in October; provided, however, that the members of the first City Council shall be elected on April 14, 1921, as hereinafter provided, and shall go into office at ten o'clock A. M. on Tuesday, April 19, 1921, and that their terms shall be as follows: Those councilmen from the First, Second, Third, Fourth, Fifth, Sixth and Seventh Wards, elected at said election shall hold office until the Tuesday following the second Thursday in October, 1923, and until their successors are elected and qualified, and those councilmen elected at said election from the Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Wards shall hold office until the Tuesday following the second Thursday in October, 1925, and until their successors are elected and qualified.

Fifteen
Councilmen

Elected—when.

Term of
Office.First City
Council

Term of Office

No person shall be eligible to the office of councilmen who is not a citizen of the State of Tennessee and who has not been a resident of the City of Nashville for at least three years immediately preceding his election, or who, if he resides in annexed territory has not resided in said territory for at least three years immediately preceding his election. No person shall be elected to the office of the councilmen who has not attained the age of twenty-five (25) years at the time of his election, and who has not been a resident of his ward for at least six (6) months immediately preceding his election. Provided that the first councilmen elected under this Act shall have resided within the territory embraced within the ward from which he is elected as said ward is described in this Act for a period of six months. Each Councilman, before entering upon the duties of his office, shall take and subscribe to the following oath; "I do solemnly swear that I will support the Constitution and laws of the United States and of the State of Tennessee, and the laws and ordinances of the City of Nashville, and that I will faithfully and impartially discharge the duties of Councilman without fear or favor, and solely for the public welfare, so help me God."

Eligibility
RequirementsOath of
Office.

Vacancy.

Special
Election

If any councilman should remove from his ward, resign or die, his office of Councilman shall become vacant; and in case of any vacancy however occurring, a special election shall be held to fill such vacancy within thirty (30) days thereafter, unless it shall occur within three (3) months next preceding the primary election held under Section 12 of this Act, in which event the vacancy shall be filled at such election; and all persons elected to fill a vacancy shall hold their office only for the unexpired term.

ORGANIZATION
of City
Council

SEC. 4. *Be it further enacted*, That the city council shall determine its own rules of procedure, and prescribe the punishment of its members for non-attendance, disorderly conduct, and for the enforcement of the same. The City Council shall elect from its members a President and a Vice-President, the President to preside over meetings of the Council, and the Vice-President to preside in his absence.

Officers.

Quorum.

It shall require a majority of the members of the Council to form a quorum for the transaction of business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members by arrest or fine.

Meetings

All meetings of the council shall be held in the council chamber, in the City Hall, at Nashville, Tennessee, and shall be open to the public. It shall hold its regular meetings on the first and third Tuesdays in each calendar month, at such hour as may be determined by the Council.

Regular.

It can set the time of impeachment trials and adjournments.

Adjourned

It shall have the power to provide for adjourned meetings of the Council, and to fix the date and hour to which such adjournment is made. It can transact any business at an adjourned meeting that it is authorized to do at a regular meeting. The Mayor may call a meeting of the Council in writing, fixing the date and hour thereof; however, such meeting must be at least twenty-four hours from the date of the call.

Called.

Notice

Notice mailed to the last known address of each member of the Council or delivered to him is sufficient and valid. However, if all of the members of the Council in the city are actually notified, either verbally or in writing, then a called meeting may be had at any time such Council can be assembled.

Provided, that not less than two-thirds of the members of such Council shall be present at such meeting. The purpose of all called meetings shall be specified in the call, and shall be recorded on the minutes of the Council.

Compensation.

No other business shall be transacted at such called meetings than that which is specified in the call. Each Councilman shall receive as compensation for his services the sum of Twenty Dollars, (\$20.00) a month. Any Councilman who fails to attend any meeting shall forfeit one-third of his monthly compensation, and any Councilman failing to attend two consecutive meetings shall forfeit a month's compensation. Unless such failure to attend is due to illness or some other unavoidable cause.

Penalty for
non-atten-
dance

Quasi-Judicial
powers of
City Council

SEC. 5. *Be it further enacted*, That the City Council shall have quasi-judicial powers, and may sit as a Court of impeachment to investigate charges against its own members, against the Mayor and all members of Boards authorized

under this Act or any other city official except those under Civil Service. It shall have power to expel or suspend such officials after due trial. It shall have the power to designate the time of holding such trial, and may adjourn from day to day until the trial is completed. No such trial shall be commenced until the official or employee against whom charges are preferred shall have received a written notice stating the general nature and character of the charges made. Said accused official or employee shall have at least five days from the receipt of said notice in which to prepare his defense. The City Council shall have power to issue subpoenas compelling the attendance of witnesses and the production of any books, papers or other documentary evidence; to punish by contempt proceedings any person failing or refusing to obey said subpoena, or to give their testimony, or to produce the papers required. The said subpoena shall be signed by the President of the City Council and attested by the City Clerk.

It may be served by any police officer of the City.

The City Council shall have power to fine and imprison any person guilty of contempt committed in its presence, or which tends to obstruct its investigation. Such person adjudged guilty of contempt shall not be fined more than fifty dollars nor confined in the city Police Prison for longer than ten days for any one contempt.

The City Council shall have power to punish such delinquent officials or agents, when found guilty of the charges preferred against them, by expulsion or suspension from office upon a vote of a majority of the whole number of Councilmen. The finding of the City Council in such cases shall be final on all questions of fact, however, its action may be reviewed upon writ of certiorari or certiorari and super-sedeas issuing from any of the Circuit Courts of Davidson County. No such writs shall be authorized or allowed after one full term of the said Circuit Courts has elapsed since the judgment of the Council in such case. No official or employee of the city who is convicted by the City Council shall receive any salary or compensation for the time that he is out of his office or away from his employment by reason of such judgment.

No member of the Council who is on trial shall sit with the Council during such trial. In case the President of the Council is on trial, the Vice-President shall preside. Any defendant on trial in an impeachment proceeding shall have the right of witnesses and counsel.

Proof may be taken by deposition.

The Mayor may, after one year from his appointment, be removed by the City Council without charges and trial.

SEC. 6. *Be it further enacted*, That no bill shall become an ordinance without having first been passed on three several

- Passage of meetings, had at a regular adjourned, or called meeting, but in no event shall more than one reading be had on one day. Any bill may be rejected on its first, second or third reading. Before any bill may become an ordinance, it shall receive a majority of the votes of the whole number of the members of the City Council on each of three (3) readings. Any bill on introduction may pass first reading on the day on which it is introduced.
- Amendments No amendment shall be made after the second reading, except the annual budget fixing the maximum amount to be expended for the ordinary expense of the city for the ensuing year, which may be amended on third reading; every bill shall be introduced in duplicate, one copy of which shall be retained by the Clerk of the Council at all times.
- Signed by President All amendments to bills shall be presented in writing, and copies thereof shall be attached to both the original and duplicate bills before the final passage of said bill, and when adopted shall be signed by the President of the City Council.
- Ayes and Noes Recorded. All bills shall be read in full to the City Council at each reading of the same. That upon the final passage of all bills the vote shall be taken by "ayes" and "noes," the names of the Councilmen voting for and against the same shall be entered upon the minutes. Any bill that shall become an ordinance shall be promptly enrolled in the law-book of the city. No bill for the granting or renewal of any franchise or for the issuance of any bonds, where a ratification thereof is required by a vote of the electors of the City, shall be passed and approved except as hereafter provided.
- Enacting Clause. That all bills shall contain the following enacting clause: "Be it enacted by the City Council of Nashville," and they, shall be in effect from and after thirty days from the date of their passage, unless they are made by their terms to take effect sooner.
- Take effect when
- Officers appointed by Mayor SEC. 7. *Be it further enacted,* That there shall be appointed by the Mayor, but subject to confirmation by the City Council; the City Clerk, the City Tax Assessor, the City Comptroller, the Judge of the City Court, the Clerk of the City Court, the City Attorney, the Superintendent of Water-works, the Superintendent of City Electric Plant, City Engineer, City Health Officer, Chief of Police, Chief of Fire Department, The Members of the Board of Education, the Members of the Board of Hospital Commissioners, and the Members of the Board of City Tax Equalization and of the Humane Commission."
- Mayor and City Auditor Elected. The City Council shall itself elect the Mayor and City Auditor.
- Powers of City Council by Ordinance. SEC. 8. *Be it further enacted,* That the City Council of the City of Nashville shall have power, by ordinance, within the limits of this Act:

- (1) To levy and collect taxes upon all property, real, personal and mixed, for corporation purposes, that is taxable by law for State purposes, and fix the times and method of such levy and collection. Levy and Collect tax
- (2) To levy and collect taxes upon all privileges and occupations that now are or may be hereafter taxable by law for State purposes, and to license and regulate such occupations. Privilege and Occupation taxes.
- (3) To issue bonds to provide funds to replace any public buildings, work or structure of necessity that has been rendered unsuitable for use by fire, storm, explosion, earthquake, rupture, or other sudden cause, when the public safety, health or convenience demands it, without submitting the question of the issuance of such bonds for ratification to the voters of the city, not in excess of \$200,000.00. Bonds to replace public buildings.
- (4) To provide the manner of assessing for taxation, all the stock and capital of merchants, employed in business, other than realty and to prescribe the periods of time to be considered in computing and determining the taxable value thereof. Assessment of stock and capital of Merchants.
- (5) To license, tax and regulate all means of conveyance; such as automobiles, carriages, buggies, carts, cabs, omnibuses, taxicabs, wagons, drays and trucks; to fix the rates that may be charged for carrying passengers and hauling property in any of such vehicles within the city; to designate routes for same, and to provide for the giving of liability insurance to secure the city or any person for injuries to their person or property. Tax and regulate means of conveyance.
- (6) To provide for the payment of the debts and expenses of the city; to appropriate money, to provide for the debts of the municipal corporation of which it is the successor; and to issue bonds and notes as provided by law and within the limitations of this Act. To provide in the annual budget not more than \$2,500.00 for the use of the Charities Commission of Davidson County for the relief of the needy poor of the city and to fix the compensation of the Mayor. Appropriate money.
Issue Bonds.
Charities Commission fund.
Compensation of Mayor.
- (7) To open, alter, narrow, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, keep in in repair and maintain streets, alleys, sidewalks, avenues, or squares, or to have the same done; and to erect, establish, maintain, and keep in repair bridges, culverts, sewers, tunnels, curbs, and gutters, and to erect all buildings necessary for corporation purposes of the city. Open, Alter, etc.
Streets, etc
Erect, etc.
bridges, sewers etc and Buildings
- (8) To take and appropriate land, either within or without the city, for establishing, extending or widening streets, avenues, viaducts, tunnels, squares, alleys, promenades, or parks; or for sewers, conduits, light and heating plants, markets, engine houses, station houses, work-houses, pest-houses, school-houses, city-halls, detention hospitals, hospitals, disinfecting or disposal plants for garbage and night- Powers of condemnation.
Objects and method

soil, incineration plants, dumps, wharfs, water-works, purposes, pumping stations, settling basins, reservoirs, and rights of way for water-mains, and in accordance with the provisions of Section 1981, 1982, 1983 and 1984 of Shannon's Annotated Code of Tennessee, and the damages for such taking shall be estimated for such property thus taken by the method provided by Section 1857 of said Annotated Code.

(9) To make rules and regulations to secure the general health of the inhabitants; to prevent the spread or introduction of contagious, communicable or venereal diseases in the city; to make quarantine rules for such purposes and enforce the same within ten miles of the city limits; to establish hospitals, dispensaries, pest-houses or detention houses, either within or without the city, and to make regulations for the government thereof; to declare what constitutes nuisances, and to provide for the abatement of the same as far as one mile beyond the corporate limits; to declare that weeds shall become a nuisance, and provide for the abatement thereof, either by the city or the owners of the property on which the same may be growing, and to secure the city by a lien upon such property for the expense of the abatement thereof; and to provide for the temporary or permanent closing of wells and springs used by the public whenever the same are injurious to health.

(10) To regulate or prohibit or suppress theatrical or other exhibitions, moving picture shows or amusements, gambling houses, disorderly houses, bawdy houses, obscene pictures and literature, junk dealers, pawnshops, the sale, manufacture or transportation of intoxicating liquors and to confiscate and destroy gambling equipment, stills, and intoxicating liquors.

(11) To provide for the arrest, imprisonment and punishment of all riotous and disorderly person or persons who cause breaches of the peace, noise, disturbance or disorderly assemblages, seditious utterances, or conduct, within the City and one mile beyond the corporate limits thereof.

(12) To regulate, restrain, prevent or suppress any business which may be or become dangerous in causing or producing fires; to regulate, prohibit and suppress the sale of fire-arms and the carrying of concealed weapons; to regulate, prohibit and suppress the use and sale of fire-crackers, fire-works, and toy pistols, or any other business of any character which may be declared to be dangerous to the security and well being of the inhabitants or property.

(13) To regulate or prohibit the storage of explosives, combustibles and inflammable material of every character, and the use of lights, candles, lamps, heating or firing apparatus or fires in any building, shop, stable or market.

(14) To provide for the inspection and measurement of all building material.

(15) To provide for the inspection and weighing or measuring of coal, wood and all other fuel, hay, corn or grain. Inspection, etc.
fuel and grain

(16) To provide for and regulate the inspection and weighing of beef, pork, flour, meal, milk, butter, dairies, dairy cows, lard, and all other provision; to regulate, prohibit, restrain and punish the forestalling and regrading of all food products used for human consumption; and to establish, regulate and provide rules for the government of markets; and to establish standard weights and measures to be used in the city, and to appoint a sealer of weights and measures, who shall have exclusive jurisdiction within the city. Inspection, etc.
of provisions
Open market-
Weights and
Measures

(17) To regulate, tax, license, prohibit or suppress the keeping of hogs, within the limits of the city, and the going at large of all animals, including domestic fowls, within the city; to impound the same, and to make rules and regulations for the redemption or sale or disposal or killing the same on failure of redemption thereof. Stock
regulations

(18) To erect, repair, improve and preserve public wharves, docks and landings; to fix the rate of wharfage, and to regulate the anchorage or moving of vessels or rafts within the city. Wharves,
Docks, etc

(19) To provide for enclosing, improving and regulating the city cemetery, the city parks and all public grounds, belonging to the city, either within or without the corporate limits. Public
Grounds

(20) To regulate the erection of buildings, bill boards, and all other structures, to compel the owners to provide fire-escapes for the safety of occupants, and to provide fire districts or zones; to prohibit, regulate or suppress or provide for the destruction and removal of any house, cistern, well or structure which may be or become dangerous or detrimental to the inhabitants, after due notice, and to provide for a penalty upon failure of the owner, occupant or agent to comply with the requirements provided. Building Laws

(21) To grant rights of way through the streets, avenues, squares, and over the bridges and viaducts of the city, for the use of public or quasi-public utilities; but subject to the terms, provisions and limitations of the referendum provision of this Act. Rights of way
to Public
Utilities

(22) To provide the city with water; to provide for the regulation and construction of water-works, settling basins, pumping stations, water pipes and mains and rights of way for same, reservoirs, and all appurtenances, either within or without the corporate limits of the city; to provide for assessments for water, of water service, and liens or penalties for refusal or failure to pay for same. Waterworks
Assessments for
water

(23) To provide for the prevention and extinguishment of fires, the organization and establishment of fire companies, equipment and houses or stations for same. Fire
Department

- Workhouse. (24) To establish, erect and organize a workhouse within or without the city, wherein any person who shall fail or neglect to pay any fine or cost imposed upon him under any city ordinance shall be committed and confined until such fine and costs shall be fully paid or until a pardon has been granted or fine remitted.
- Terms of Imprisonment. However, no terms of imprisonment in said workhouse shall be for a longer period than three months for the same offense.
- Construction of Sidewalks, Curbs and gutters. (25) To provide for the construction or repair of sidewalks, curbs, and gutters, and for the assessment of the lien against any lot in front of or along side of which they may have been constructed or repaired, and for the enforcement of such lien and collection.
- Lien for Expenses. Where the city constructs or repairs such a sidewalk, the expense of such improvement shall be a lien upon the lot, and such lien may be enforced by bill in equity, or the amount may be recovered against the owner by suit in a court of competent jurisdiction.
- Public Parks. (26) To create, maintain and control a system of public parks, either within the corporate limits or adjacent thereto, and to create park boards and define their powers and duties.
- Electric Light works or gas plant. (27) To create, maintain, build or purchase and operate electric light works or gas plant, for the purpose of lighting public buildings or streets, parks or other public places in the city, or municipal property, houses or hospitals, or works beyond the city, and for the sale of electric current or gas to all persons desiring to purchase the same, either for light, heat or power, or any purpose whatever, either within or without the corporate limits of the city.
- Police Force. (28) To provide for a metropolitan police force and the appointment and maintenance of the same, and to make rules and regulations for the government thereof.
- School System. (29) To establish and maintain a system of free kindergarten, grammar and high schools, and regulate the same; but so as to avoid sectarian influence.
- Humane Commission. (30) To regulate the treatment of dumb animals and children, and to provide for the punishment of cruelty to same, and to create a Humane Commission, and define its powers and duties.
- Fines, etc. for breach of any ordinance. (31) To provide for fines, forfeitures and penalties for the breach of any ordinance of the city, and for the enforcement, recovery, and appropriation of the same, and to fix terms of confinement in the City Workhouse for the failure to pay any fine, penalty or forfeiture for the breach of any City ordinance. No penalty shall be fixed to exceed fifty dollars, and no term of imprisonment shall be longer than three months for the same offense.
- Lien for fines and imprisonment. (32) And to pass all ordinances necessary for the health, convenience, safety and general welfare of the inhabitants
- General Welfare

of the city, and to carry out the full intent, corporation purposes and meaning of this Act, as fully as if specifically authorized.

SEC. 9. *Be it further enacted,* That the City Council shall have power by ordinance, within the limits of this Act, upon the recommendation of the Mayor, and not otherwise, and without authority to alter or amend such recommendations:

Powers by Ordinance upon recommendation of Mayor

(1) To create all necessary offices other than those herein provided for, and to fix the bonds of the officers filling such offices.

Create Offices and fix bonds.

(2) To provide and fix the salaries of all officers and employees of the City, except that the Council shall not have the right to change the compensation of its own members and except that as provided in sub-section (6) of Section 8, the Council shall have the exclusive right to originate and fix the salary of the Mayor.

Fix salaries

(3) To fix the maximum wages of common labor, and also of skilled labor.

Maximum wages

(4) To fix the number of hours that constitutes a day's labor.

Hours in Day's Labor

SEC. 10. *Be it further enacted,* That the City Council shall have power, within the limitations of this Act to adopt resolutions:

Powers by Resolution

(1) To authorize the expenditures specified under the annual budget appropriations for public improvements, where any such improvements, in the aggregate, is estimated shall cost in excess of One Thousand Dollars, (\$1,000.00).

Expenditures over \$1,000.00

(2) To authorize anticipation revenue notes provided for in this Act.

Revenue Notes

(3) To make public proclamations, protests and requests on the Mayor or other officials of the City for information pertaining to their respective duties.

Proclamations, Protests, etc.

(4) To carry into effect all the provisions of this Act as required therein.

General Welfare.

All such resolutions shall, when they become final, be enrolled by the City Clerk in a Resolution Book to be provided for that purpose.

Enrolled

SEC. 11. *Be it further enacted,* That there shall be a Mayor of the City of Nashville, who shall be designated Mayor, and who shall have the duties and powers of a business manager for the City of Nashville; he shall have supervision and control of all of the administrative affairs of the City; he shall be its Chief Executive; he shall be at least thirty (30) years of age at the time of his election; his compensation shall be fixed by the Council (with the limitations stated in Section 9, (2) of this Act), and shall be payable at such times as may be provided by proper municipal action; he shall receive no other compensation from the City; he shall have and appoint

Mayor

Compensation

Secretary.

Oath a Secretary to his office. He shall take the following oath upon assuming his duties: "I do solemnly swear that I will support the Constitution of the United States and of the State of Tennessee, and the law thereof; and that I will faithfully and impartially discharge the duties of the office of Mayor, and enforce the laws and ordinances of the City, without fear or favor, for the public welfare, so help me God."

Bond. He shall give a bond, with surety to be approved by the Council, in the penal sum of Twenty-Five Thousand (\$25,000.00) Dollars, to secure the City harmless against all laws which may be occasioned by his failure, refusal or neglect to perform any of the duties imposed upon him by law or ordinance.

Said Bond shall be approved by the City Auditor and filed with the City Clerk, and the premium for it shall be paid by the city.

Absence or Disability. During the absence or disability of the Mayor, the Council shall designate some properly qualified person to perform his duties, and in the event of a vacancy in his office *the Council may likewise fill it temporarily with all promptness to elect another Mayor in his place.*

Authority to appoint Officers, etc. The Mayor shall have authority except as herein otherwise provided, to employ and appoint the officers, agents, and members of boards of the city that shall be found by him to be necessary to efficiently and economically administer the affairs of the city. He shall have the power to provide for

Employment of Labor. the employment of all skilled and common labor required in the performance of the duties incumbent upon him; he shall have general supervision of all the departments and boards of the city; he shall see that they are economically, honestly and lawfully conducted; he shall have power to make temporary appointments in case of sickness or absence or disability or suspension of any officer or employee of the city;

Discharge of officers, etc. he shall have authority to discharge any officer, member of a Board, or other employee of the city excepting the City Auditor, and those who have a definite term of office, or who are under Civil Service, or whose discharge is otherwise provided for in this Act; he shall have access to all of the books and records of every department, office and employee of the city; and require their proper and safe keeping. He shall have authority to consult with the President of the City Council, or any member thereof, and to present in writing or verbally to the City Council his recommendations of the needs of the city.

Access to Records, etc. Recommendations to Council. He shall take all proper measures for the preservation of public order, the suppression of riots and tumults, for which he may command the police, or he may call upon the Governor for military aid; he shall see that all agreements by and with the city are faithfully performed, and that proper action or litigation is taken to enforce them. He shall have

Duties to preserve order.

authority to call special meetings of the City Council to consider any matter pertaining to the city's welfare, which he deems it proper to present to the City Council for its consideration, and from time to time, to make recommendations to the City Council which in his judgment will tend to improvement of the city's finances, convenience, safety, health, and general welfare.

Authority to call special meetings of and make recommendations to City Council.

He shall have the power and exercise the functions of a Justice of the Peace within the City limits; the public parks, and upon the city's property beyond the City limits. He shall also have the power within one mile without the City limits, in case of riot, tumult or public disorder, to police and suppress the same, and make arrests in the suppression of crime and disorder.

Power of Justice of Peace.
Police power radius 1 mile.

He shall have the power, by himself or agent, to bid in property sold for city taxes or assessments.

Bid in property.

He shall devote his entire time to the duties of his office and shall not engage actively in any other business.

Entire time to duties of office.

He shall have the exclusive power and control over the construction, supervision, cleaning, repairing, grading and improving of all streets, alleys, avenues, lanes, viaducts, conduits, tunnels, public wharves and landings, market-houses and spaces, bridges, sewers, drains, ditches, culverts, canals, streams, and water courses, sidewalks, gutters, curbing, fire department, metropolitan police, the lighting of public places, other than parks, to fix and establish the grades of all streets, alleys, avenues and thoroughfares, and to determine and prescribe the grades and location of the tracks of Street Railways and Steam Railways, gas mains, conduits and service pipes in, upon or under the streets, avenues, alleys, highways, and bridges.

Exclusive power and Control over.

He shall have the power, supervision and control over the construction, repairing, cleaning, heating and lighting of all public buildings and improvements, except public schools, hospitals, parks, libraries and Humane Commission property.

Control over Public Buildings.

He shall have exclusive power to make all expenditures within the budget within the limitation of this Act, except those relating to public schools, parks, hospitals, Humane Commission and public libraries.

Power to make Expenditures within budget.

He shall have exclusive power to supervise and control the operation of the waterworks and workhouse; however, rates for water or other municipally owned public utilities shall be fixed by ordinance.

Control of Workhouse and Waterworks. Rates fixed by Ordinance.

He shall determine the width, location and material and construction of sidewalks, gutters, and curbs, and shall have charge of all other public works and improvements and the administration of the City's business and affairs, as provided in this Act.

Charge of Public Works.

Supervision and Control over Departments	He shall have supervision and control over the police and fire departments, engineering department, waterworks department, lighting department, street, sewer and sidewalk department, and the city's finances, under the provisions of this Act.
Estimates of Cost of Works	He shall have made a careful estimate of the cost of all works and improvements before the making of any contract therefor. All contracts shall be executed and made as provided in this Act.
Contracts for City executed - how.	All contracts for the City of Nashville shall be executed by the City of Nashville, signed by the Mayor, with the seal of the City attached thereto, and attested by the City Clerk, where the expenditure exceeds the sum of Five Hundred Dollars, and where the contract is less than Five Hundred Dollars, he may have the same reduced to writing and signed and attested by the City Clerk and with the seal of the City affixed thereto.
Budget prepared by Mayor.	He shall prepare, not later than the first of December of each year, an itemized estimate of the amount of money necessary and advisable in his opinion to spend in the execution of the duties entrusted to him for the ensuing year, giving in detail the plans of construction, repairs and estimates of expenditures and salaries proposed, with the estimated cost, specifying for what department required, or work contemplated, together with his estimate of expenditures and salaries for the subordinate Boards of the city for the ensuing year. He shall publish daily for at least one week in some daily newspaper published in said city the proposed budget for the ensuing year, and it shall not become a law until such publication has been made. After such publication the City Council shall, by ordinance, adopt the budget and appropriate to each department such sum as it may deem advisable for the conduct and maintenance thereof. No salary shall be set up or fixed in the budget ordinance.
Budget Published.	
Budget Adopted by Ordinance.	
Diversion of Tax Levy	He shall not divert any tax levy from the purposes for which it was levied.
Term of Office.	No other officer or agent or employe of the City of Nashville shall, except as herein otherwise provided, have power to create liability against the city for the funds, the expenditure of which is entrusted to the Mayor.
Removal within twelve months.	The Mayor shall be appointed for an indefinite period, and shall serve at the will of the Council, provided, however, that he may not be removed within twelve months from the date on which he assumed his duties, except for incompetence, malfeasance, misfeasance or neglect of duty. In case of his removal within said period, he may demand written charges and a public hearing thereon before the Council prior to the date on which his final removal shall take effect; but the decision and action of the Council on such hearing shall be final,

and pending such hearing the Council may suspend him from duty. During the absence or disability of the Mayor, the Council shall designate some properly qualified person to perform his duties.

SEC. 12. *Be it further enacted*, That the candidates to be voted for at the general municipal election shall be nominated by a general Primary Election to be held on the Second Thursday in September preceding the general municipal election, which shall be held on the Fourth Thursday in September.

Provided, however, that the first primary election to be held under this Act shall be held on Thursday, March 31, 1921, and the first General Municipal election to be held under this Act shall be held on Thursday, April 14, 1921; and that thereafter a primary election shall be held bi-ennially on the Second Thursday in September and the general municipal election on the fourth Thursday in September, beginning with the year, 1923.

The Judges and officers of election appointed for the general municipal election shall be the Judges and officers of the Primary Election, and the polls shall be open at the same places and during the same hours that are provided for the general municipal election. All persons, who are legally qualified to vote at the general municipal election, shall be qualified to vote at such Primary Elections.

Any person desiring to become a candidate for the City Council shall, at least ten days before the Primary Election, file with the Commissioners of Election of Davidson County, a written request averring that he is qualified to which, shall be attached in addition, a petition signed by at least twenty-five voters, who shall be tax-payers and residents of the Ward in which he proposes to become a candidate, and said petition shall aver that the candidate is qualified to perform the duties of the office which he seeks. The names of such applicants, and no others, shall be placed on the ballot. The two candidates for any particular office that receive the highest number of votes shall be the candidates and the only candidates for that office at the succeeding general municipal election. But, if in such Primary Election, any candidate for that office shall receive a majority of all the votes cast in such Primary for that office, he shall be the sole candidate for such office in the succeeding general election, and no other name shall appear on the ballot as a candidate for the office. Such Primary Elections herein provided for shall be deemed elections within the provisions of the Election Laws requiring supplemental registration, and there shall be such supplemental registration before each Primary Election—and again before each regular election.

Candidates
nominated in
in Primary

First Primary
and General
election

Elections
thereafter
biennially

Primary
Elections.

Qualifications
of candidates
for City
Council

Candidates for
General
Election

Supplemental
Registrations.

General
Election Laws
Apply to
City
Elections

SEC. 13. *Be it further enacted,* That except as herein otherwise provided the general election laws of the State shall be applicable to and control all city elections, general, special and Primary, that may be held in accordance with the provisions of this Act. Every person who is otherwise a qualified voter under the Federal and State Constitutions and the General Election Laws of the State shall, as a condition precedent to the exercise of the right of voting, furnish to the Judges of Election, satisfactory evidence that such person has paid the poll tax, if any assessed against him for the year next preceeding such election, not later than thirty (30) days prior to the day of said election, without which the vote shall not be received, provided, however, that the said poll tax requirement shall not apply to persons, either male or female, who are fifty years old and over are deaf, dumb, blind, or incapable of labor and earning a livelihood, and have been exempted from poll tax as provided in Section 687 of Shannon's Annotated Code of Tennessee, of 1917; and provided, further, that no person shall be qualified to vote for city Councilman who shall not have been a bona-fide resident of such city for at least six months immediately preceding the day of such election, but a resident citizen of Davidson County and a qualified voter thereof, who has been a bona-fide owner of real estate located within the corporate limits of said city for twelve months or more prior to the date of the election, may register and vote in any one of the Wards of said city where said property may be located, in any City Election, general or special or primary, held under the provisions of this Charter. Such voters shall have the additional qualification, to vote for any Councilman, of having resided in the Ward for six months, or owned property in the Ward as above provided.

Qualified
Voters in

Additional
Qualifications
required

Tie Vote in
General
Election.

When two or more persons shall have an equal number of votes for office of Councilman, in any municipal election, the election shall be referred back to the voters of the City and Ward, respectively, and another general election shall be held in accordance with the terms and provisions of the general election laws of the State of Tennessee within thirty days.

Registration
for First
Election.

Provided, however, that as regards the requirement of registration for the purpose of the first election under this Act, all residents of the new ward shall be entitled to vote in said election and who (a) shall either have registered within the bounds of such new wards after the passage of this Act and before said election, or who (b) at the time of the passage of this Act were registered in their old wards and who shall not have changed their residence before said election.

Recall of
Councilmen.

"To provide procedure for the recall of any Councilman, and to elect his successor."

“Any Councilman elected under the terms and provisions of this Act may be removed from such office by the qualified voters of the city, in the following manner, to wit:

“A petition signed by qualified registered voters entitled to vote for a successor to the incumbent sought to be removed equal in number to at least twenty-five per cent of the entire vote for the office of Councilman east in that ward at the last preceding general city election, demanding the election of a successor of the person sought to be removed shall be filed with the Chairman of the County Board of Election Commissioners, and this petition shall contain a statement of the grounds on which the removal is sought; and shall be sworn to by at least ten (10) of the signers of such petition. Each of the signers of such petition shall [give] his name, place of residence, giving the street and house number. When the petition has been prepared it shall be the duty of the parties preparing the same to file it and deposit in money with the Chairman of the County Board of Election Commissioners, the sum of One Hundred Dollars, (\$100.00) out of which all the expenses for the examination of the petition and of the petitioners and such other work as is necessary in ascertaining and determining whether the petition has been filed by persons who are entitled to do so, and if there is any balance left after the payment of such expenses out of said sum, it shall be returned to the parties making such deposit. The County Board of Election Commissioners shall immediately examine the petition and ascertain from the registration and poll tax books of the County whether or not the petition has been signed by the requisite number of legally qualified voters as provided in this Act.

Said petition shall remain on file at the office of the Chairman of said Board, and any citizen may procure a copy thereof upon paying the expense necessary for preparing the same; and within thirty days from the date of filing such petition any citizen of the ward may appear before the Board of Election Commissioners and show by competent evidence that the names of the parties signing the petition should be stricken therefrom, on the ground that they are not duly qualified and registered voters of said city. After the lapse of thirty days from the filing of said petition, the said Board shall attach to said petition their certificate showing the result of the examination. In the event the petition shall be deemed sufficient by the Board, it shall be its duty to fix a date for holding said recall election, not less than thirty days nor more than ninety days from the date of the certificate of said Board. If by the certificate of the Board the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate and the County Board of Election Commissioners shall within ten days after such amendment make like examination of the amended petition;

Petition

Filed with
County Board
of Election
Commissioners.Examination of
Petition.Date for
holding
Recall
ElectionAmendment of
Petition.

and if the certificate of the Board shall show the same to be insufficient it shall be returned to the person filing the same without prejudice to the filing of a new petition to the same effect; provided, however, that no new petition may be filed within ninety days thereafter.

Election on Recall Petition

In the event a sufficient petition is filed as herein provided for, the said County Board of Election Commissioners shall give notice and make all arrangements for holding such election, and the same shall be conducted, returned and the result thereof declared as provided by law in the case of a general City Election. The provisions of the general City Election Laws applicable to the holding of a general City Election in said city shall in all things be applicable to the holding of a recall election as provided herein.

Term of Successor.

The successor of any Councilman removed from office shall hold office during the unexpired term of his predecessor, and any person sought to be removed may be a candidate to succeed himself; and unless he, in writing otherwise requests, it shall be the duty of the official holding the election to place the name of such incumbent on the official ballot without nomination.

Incumbent's name on ballot.

In any such recall election the candidate receiving the highest number of votes for that office shall be declared elected; and if at such election some other person than the incumbent receives the highest number of votes, the incumbent thereupon shall be deemed to be removed from the office upon the qualification of his successor. In case the party who receives the highest number of votes should fail to qualify within ten days after receiving notification of election, the office shall be deemed vacant, but if the incumbent receives the highest number of votes in such election, he shall continue in office.

This method of removal shall be cumulative and additional to the methods that are now or may hereafter be prescribed both in this Act and by the General Laws of the State.

No Petition to Recall within Six months.

No Councilman shall have any petition filed against him within a period of six months from the date when he is inducted into office, and if the provisions of this Act are invoked against any Councilman and the majority of the voters in the recall election voting on said question shall vote to retain said Councilman in office, such Councilman shall not again be subject to removal under the provisions of this Act until the expiration of twelve months from the date of the aforesaid recall election.

Twelve months.

City Auditor elected by Council

Qualifications.

SEC. 14. *Be it further enacted,* That the City Auditor shall be elected by the Council, and shall hold office during its will and pleasure. He shall be at least thirty years of age, and an accountant of experience in public accountancy, and shall reside in the City of Nashville. He shall give a bond

to the city in the sum of Ten Thousand Dollars for the faithful performance of his duties, with surety to be approved by the Council. This compensation shall be fixed by ordinance, as provided by this Act, and his duties shall be to audit the books of the various officers; agents and departments of the city and make periodical reports thereof to the Mayor and Council, as and when required by them, and to make special reports when requested. He shall attend to the duties of his office daily, and shall perform such other duties as may be required by ordinance or resolution of the Council.

Bond.

Compensation
and duties.

SEC. 15. *Be it further enacted*, That the City Clerk shall be over twenty-five years (25) of age, and a resident of the City of Nashville. He shall be required to give a bond of Ten Thousand (\$10,000.00) Dollars to the City of Nashville, with surety to be approved by the Council to faithfully perform his duties and to keep all records and books safely. His duties shall be to act as Clerk of the City Council, and Clerk of the City, and to keep the minutes and Law Journals of the City Council, all of the City's Fidelity Bonds, Public Documents and Archives, Fire Insurance Policies, and such other papers incident to the administration of the City's affairs.

City Clerk
Qualifications.

Bond.

Duties.

The City Clerk shall be the Clerk of the Board of Civil Service and Pensions and perform the duties required by him by said Board. He shall also be the Clerk of the Board of City Tax Equalization, and shall keep its minutes and perform the duties required of him by said Board.

He shall not be required to keep the deeds, insurance policies, records and minutes of the Board of Park Commissioners. Such papers shall be kept by the Secretary of the Board of Park Commissioners.

The City Clerk shall be required to perform such other duties as he may be directed to do by ordinance of the City Council, or by resolution of the Board of Public Works, and by the Mayor.

The compensation of the City Clerk shall be fixed by ordinance, as provided in this Act.

Compensation

SEC. 16. *Be it further enacted*, That there shall be and is hereby created a Board which shall be designated as the Board of Public Works. It shall be composed of four members, who shall be the City Engineer, the Superintendent of the Waterworks Department, the Superintendent of the Electric Lighting Plant of the City, and the City Health Officer; provided, that the members of the first Board created under this Act shall be as hereinafter provided under Section (65).

Board of
Public Works

The Mayor shall be Chairman of this Board; however, without a vote, except in case of a tie. The duties of said

Mayor is
Chairman

Board shall be to meet with the Mayor, in session or otherwise, to consider all matters pertaining to the City's administration and welfare. Said Board shall elect a Vice-chairman.

Powers of Board

It shall have the power to originate, by resolution, the expenditure of all the revenues which are appropriated in the city budget and for the purposes which the Mayor has the authority to expend such revenues under this Act. It shall consider any resolution offered by the Mayor. After any resolution shall have been adopted, it shall be first approved by the Mayor before it shall become of effect. In case said Board rejects any resolution, the Mayor, notwithstanding such action by the Board, may, in writing, with his reasons therein stated, order said improvement or expenditure made, except this provision does not apply to improvements authorized by Section (42) of this Act.

Resolutions Approved by Mayor.

Orders not withstanding by Mayor.

The Mayor shall approve or disapprove, or "order notwithstanding" within five days after the action of the Board.

Power to Authorize Improvements Under Sec. 42.

The Board of Public Works shall have power, by resolution, to authorize the improvement of streets, avenues, alleys, squares, and public highways, under Section (42) of this Act, as provided therein, such resolutions may be approved or disapproved by the Mayor, and such action by the Board and the Mayor is final. In case the improvement is ordered, there shall be no review of the facts, or of the necessity for making said improvement, except for actual fraud.

Minute and Resolution Books

Said Board shall keep a minute book wherein its Acts shall be kept. It shall also keep a resolution book, in which all resolutions and all "orders of the Mayor notwithstanding" shall be promptly enrolled, together with the Mayor's action thereon.

Other duties of Members.

The members of said Board shall perform such other ministerial duties, or supervise such works or improvements or expenditures to which they may be assigned or directed by the Mayor.

Compensation.

No additional compensation or other compensation than their salaries shall be received or paid.

The members of said Board shall give their entire time to the city.

Comptroller.

SEC. 17. *Be it further enacted*, That there shall be a city Comptroller, who shall have supervision and control over all the City's revenues and finances. He shall be over twenty-five years of age, and shall reside in the City of Nashville.

Qualifications.

Bond

He shall give a bond to the City of Nashville for the faithful performance of his duties in the sum of Twenty-five Thousand Dollars (\$25,000.00) with surety to be approved by the Council. His salary shall be fixed as provided in this Act, or as may be prescribed by ordinance or resolution of the

Salary

City Council, the Board of Public Works or the Mayor. He shall be subject to the supervision and the direction of the Mayor, under the limitations of this Act.

The City Comptroller shall not recognize warrants authorizing the payment of money for any expenditure except upon a voucher signed by the Mayor, or by such other officer as may be provided in this Act.

SEC. 18. *Be it further enacted*, That there shall be a City Treasurer, who shall be over twenty-five years of age, who shall reside in the City of Nashville, and who shall be appointed by the Mayor. He shall give bond in the sum of Seventy-five Thousand (\$75,000.00) Dollars, with surety to be approved by the Council. His salary shall be fixed by the City Council as provided in this Act.

His duties shall be to collect, keep and disburse the revenues and moneys of the City of Nashville upon the warrants of the Comptroller, or such other officers as may be provided in this Act, or by ordinance. He shall perform such other duties as may be required of him by ordinance of the City Council or by the Mayor, and shall be subject to the supervision and direction of the Mayor under the limitations of this Act. The City Treasurer shall keep and preserve such moneys in such banks or Trust Companies as may be determined by ordinance or by the provisions of any law applicable thereto. The aggregate deposit of city funds with any one bank or Trust Company shall not, at any one time, exceed Twenty-five per cent of the Capital surplus, and undivided profits of any such institution.

SEC. 19. *Be it further enacted*, That the City Tax Assessor shall be over twenty-five years of age, and shall be well acquainted with the property and value of property in the City of Nashville, and he shall be a resident of the City of Nashville.

He shall take the following oath:

"I do solemnly swear that I will support the Constitution of the United States and of the State of Tennessee, and the laws thereof, and that I will perform the duties of my office in the City of Nashville, within its jurisdiction, without fear or favor, so help me God."

He shall assess all property, real, personal and mixed in the City of Nashville, for municipal taxes as required by law, shall have and prepare field books and other necessary books, and keep such records safely and shall transmit the tax rolls of the City, immediately upon their completion, to the Board of City Tax Equalization.

He shall attend the sittings, either special or regular, of the Board of City Tax Equalization. He shall furnish said Board all information requested, including any papers

Vouchers
signed by
Mayor

City
Treasurer
Appointed by
Mayor

Bond
Salary

Duties

Depositories
of City funds

Tax Assessor

Qualifications

Oath

Duties

and documents in his care and control; and he shall perform such other duties as may be required of him by the City Council or the Mayor.

Health Officer. SEC. 20. *Be it further enacted,* That there is hereby created the office of City Health Officer. He shall have charge of the Health Department of the City of Nashville. **Qualifications.** He shall be a physician of good reputation and shall have had at least ten years of experience as a physician. He shall devote his entire time to the duties of his office.

Rules and regulations approved by Mayor. He shall make the rules and regulations governing the Health Department subject to the approval of the Mayor. He shall reside in the City of Nashville. His compensation shall be fixed by ordinance as provided in this Act.

Sanitary Disinfectors and other officers. There shall be a Sanitary Disinfectors, and such other officers, inspectors and assistants as may be necessary for the performance of the duties incumbent upon the Health Department, who shall be appointed by the Mayor.

City Court
City Judge. SEC. 21. *Be it further enacted,* That the City Court of Nashville is hereby created and that the City Judge shall be Judge of said Court.

Term of Office. His term of office shall be four years from the date of his election and qualification, and until his successor is elected and qualified. He shall be a resident of the territory embraced within the corporate limits of the City for three years next, immediately prior to his election, and he shall not be less than thirty years of age at the time thereof. He shall have been licensed for three years to practice law in the Courts of this State.

Before entering upon the execution of the duties of his office, he shall take and subscribe the following oath:

Oath. "I do solemnly swear that I will support the Constitution of the United States and the State of Tennessee and the laws thereof, and that I will faithfully and impartially perform the duties of Judge of the City Court, without fear or favor, so help me God."

Compensation. His compensation shall be fixed by ordinance as provided in this Act.

Power and Jurisdiction. The Judge of the City Court shall have the power and exercise the functions of, and have concurrent jurisdiction with, Justices of the Peace, within the corporate limits of the City, over cases involving violations of the State criminal laws, and not otherwise.

Office. The Judge of the City Court shall have the exclusive power to issue warrants and impose their fines or forfeitures for the breach of any city ordinance. All process issued by him shall be issued in the name of the State of Tennessee, and in such cases involving the violation of a city ordinance, for and in behalf of the City of Nashville. He shall have the exclusive power to grant pardons, releases and suspension

Pardons, etc.

of judgment or sentence of persons convicted by him. He shall have power to issue subpoenas to compel the attendance of witnesses, and in the event any witness so subpoenaed shall fail to attend, he may compel his attendance by attachment, fine and imprisonment. No fine therefor shall exceed fifty dollars or imprisonment more than ten days. All such subpoenas shall be attested by the Clerk of the City Court, and may be served by any police officer of the City.

The Clerk of the City Court shall keep its records and minutes, and perform such other duties as may be assigned by the Council or the Mayor.

The Judge of the City Court shall have power to punish any person for any contempt committed in the presence of the Court; but in no such case shall the punishment exceed a fine of fifty dollars, in default of the payment of which the party guilty of such contempt may be imprisoned by the Judge of the Court, until he had worked out such fine, or he may imprison such person for a period not exceeding ten days.

Appeals may be had to any of the Circuit Courts of Davidson County from the judgment of the City Court, if prayed and granted within two days from the rendition of such judgment.

In the absence of the Judge of the City Court, or his disability, or any vacancy existing in his office, for any reason whatsoever, any Justice of the Peace of said County may hold their Court.

SEC. 22. *Be it further enacted,* That there shall be a City Workhouse, in which persons may be confined who fail or refuse to pay the judgments, penalties, fines or forfeitures imposed by the City Court.

There shall be a keeper of the Workhouse who shall be clothed, as such, with police power. He shall have all necessary assistants.

He shall keep a record of the receipt and discharge of prisoners.

Every person committed to the Workhouse shall be required to work for the City at such labor as his health and strength will permit, not exceeding ten hours each day, and for such work and labor the person so employed, shall be allowed, exclusive of his Board, credit upon such fine and cost, not exceeding One Dollar and a half per day until the whole thereof is satisfied and discharged at which time he shall then be released.

No person shall be imprisoned in the Workhouse and compelled to work longer than three months for any one offense.

This shall not prohibit a longer period than three months for the aggregate of more than one offense.

- Law Department. SEC. 23. *Be it further enacted*, That there shall be a Law Department of the City of Nashville.
- City Attorney. The head of the Department shall be known as the City Attorney.
- Appointed. He shall be appointed by the Mayor, subject to confirmation by the City Council, and shall have been a member of the Bar of Tennessee for five years.
- Assistants and help. The City Attorney shall appoint such assistants and help as may be necessary in the conduct of his office and as may be authorized under the provisions of this Act, or by City ordinance.
- Duties. He shall reside in the City of Nashville.
His duties shall be to look after all litigation of the City; to prepare written opinions when requested; to prepare the City's contracts, ordinances, resolutions, and such other legal papers as may be necessary; and to attend Civil Service or impeachment trials in order to represent the City in its corporate capacity.
He shall perform such other duties as may be required of him by ordinance or resolution or as he may be directed to perform by the Mayor.
- Civil Service and Pensions. SEC. 24. *Be it further enacted*, That there shall be a Board of Civil Service and Pensions, to be composed of the Mayor and of four other members.
- Members. Such other members shall be bona-fide residents and citizens of the City of Nashville, and their term of office shall be five years from the date that this Act goes into effect, or until their successors have been elected and qualified;
- Term of Office. and, upon a vacancy by resignation, death, expiration of term of office or otherwise, of any members of said Board other than the Mayor, his successor shall be elected by the remaining members of said Board, subject to the approval of the City Council of said City.
- Vacancy filled. "The first members of said Board other than the Mayor shall be E. J. Smith and Charles S. Martin, who shall hold for a term of five years, and J. Vaulx Cowan and Joe B. Morgan, Jr., who shall hold for a term of two years."
- No compensation. The members of said Board shall receive no compensation. They shall qualify as such Board by severally taking and subscribing to the following oath:
- Oath. "I solemnly swear that I will support the Constitution of the United States and the State of Tennessee, the laws thereof, and the ordinances of the City of Nashville, and that I will conduct all trials with fairness and dispatch and will faithfully perform my duties without fear or favor, so help me, God."
- Chairman. Said Board shall organize by electing a Chairman from its members, and it shall by resolution fix the term of office of its Chairman.

Said Board shall hold its sittings in the Council Chamber in the City Hall at Nashville, and shall fix the date and hour of its sessions, and regulate the procedure thereof.

Sessions

It shall conduct Civil Service and Pension trials and hearings, as nearly as practicable under the rules of law and as provided in this Act.

Trials and hearings.

It is the same Board referred to in Section (54) hereof.

It shall have the right to have a police officer in attendance at its sittings, to preserve order and to serve its papers and process.

Such officer shall receive no additional compensation for his work. It shall prescribe Civil Service rules and qualifications and prescribe for examination of all members of the Police and Fire Department under its rules.

Civil Service Rules etc.

Such rules shall prescribe certain physical fitness and soundness, before acceptance of any person into the Police and Fire Departments, and such examination shall include a medical examination.

No person shall be appointed to the Police or Fire Department who shall be over thirty-five years of age.

Age Limit

Any Civil Service employee may be discharged for neglect of duty, failure to perform his duties, inefficiency, insubordination, willful absence from duty for more than fifteen days without an express leave of absence from his superior officer, drunkenness while either on duty or off duty, for pernicious political activities, and for such other conduct as may be in violation of the rules prescribed by the Board of Civil Service and Pensions.

Discharge of Civil Service employees

All Civil Service employees shall be entitled to the charge upon which they are accused and are to be tried, stating in general terms the nature of the charge and the approximate date.

Charge.

Said notice must be served at least five days upon the accused before the date of the trial.

5 day's notice.

The accused shall be entitled to the presence of his Counsel, and to have his witnesses summoned and introduced, all subpoenas shall be signed by the Chairman of the Board and attested by the Clerk, and may be served by a police officer or deputy sheriff.

Counsel and witnesses

Subpoenas

It shall have the power to punish by attachment for contempt committed in its presence, or for refusal to obey its subpoena or obstructing its proceedings; and upon conviction it may fine such offender not exceeding Fifty (\$50.00) Dollars, and in addition may sentence him for ten (10) days in the City Prison.

Contempt

Fine.

In case of default in the payment of his fine, the offender may be remanded to the City Workhouse and required to work out the fine the same as in the case of other City Prisoners. Said board upon conviction of any person tried by it under the Civil Service regulations, may expel such person,

Punishment upon conviction

reduce him in rank, or suspend him for such time as the Board may determine. The findings of this Board on all questions of fact, whether pertaining to Civil Service trials, Civil Service examination, pensions or pension trials, shall be final, and subject to review only for illegality or want of jurisdiction.

Pension Cases. The Board of Civil Service and Pensions shall have the jurisdiction to sit and determine all cases for the granting of pensions, relieving of pensions, termination of pensions, and the fixing of pensions, under the provisions of this Act.

Pension Book. It shall keep a pension book, with the names of all employees pensioned, enrolled therein, and the monthly amount paid to each.

Substitute Police and Firemen. No substitute member of Police and Fire Departments shall come under the provisions of this Act relating to Civil Service or Pensions, but regularly appointed members, shall be subject to both the Civil Service regulations and pension provisions of this Act.

Right to records. Said Board shall have the authority to request and have furnished it by all officers of the City information or records pertaining to either matters of Civil Service or Pensions.

Board of Tax Equalization. SEC. 25. *Be it further enacted,* That a Board of City Tax Equalization is hereby created.

Five members. It shall consist of five members, who shall have been residents for three years of the territory embraced within the corporate limits of the City, and who shall be at least thirty years of age, and experienced in the values of property.

Qualifications. Said Board shall be governed by the same laws and provisions as the County Board of Equalizers, so far as the same may be applicable and shall have the same power and authority to raise or lower assessments of all property so as to equalize them.

Laws Governing. It shall meet in the Council Chamber in the City Hall at Nashville.

Meetings. The times of its sessions and sittings shall be fixed by ordinance. Said Board shall have the power to prescribe its rules of procedure and the hours of its sessions.

Action Final. When the Board of City Tax Equalization shall have determined the matters of equalization and values before it and within its jurisdiction, either on original hearing or on appeal from the Comptroller, such action shall be final.

There shall be no review except for illegality or want of jurisdiction.

Certificate to Assessment rolls of City. It shall append to and endorse upon the assessment rolls of the City a certificate, signed by each member of said Board, as follows:

"We, the undersigned members of the Board of City Tax Equalization of the City of Nashville, do hereby officially certify that we have equalized, computed and fixed the

values of all properties set out in the assessment rolls of said city, upon the standard of actual cash value of the same, by raising the values of all properties assessed at less than the actual cash value thereof, to the actual cash value of the same, or by reducing the values of all properties assessed at greater than the actual cash value thereof to the actual cash value of the same, and otherwise faithfully and honestly obey the requirements of the Assessment Laws of the State, and kept our oaths of office.

“Witness our hand, this _____ day of _____.”

Said assessment roll shall then be turned over to the City Comptroller.

SEC. 26. *Be it further enacted,* That the budget for the ordinary and extraordinary expenses of the City for any one year shall not exceed the amount of revenue actually collected during the year immediately preceding the one for which said budget is intended. Budget Limit
on amount.

The proceeds of the sale of any bonds made in any year may be added to the budget for that year, and included in the expenditure to be made, even though in excess of the amount of the revenue actually collected during the preceding year. Proceeds of
Bond sales.

The City Comptroller shall transfer funds appropriated in said budget from one department of the City Government which is under the control, management, and supervision of the Mayor, to such other department or departments as are under his supervision and control, upon the written order of the Mayor, provided, however, that this provision shall not apply to the sinking or redemption funds, or funds appropriated by budget or special tax levy to any of the subordinate Boards of the City. Transfer of
Budget
Funds.

The term “revenue” actually collected shall be defined, and understood to mean all original moneys collected from whatever sources, whether from taxes, privileges, contracts, sale of water, lights or property by the City which has been bought in by it for taxes, and all other sources or original revenue, money derived from the sale of equipment, stock, or property owned by the City which had been purchased by the City out of its revenues, funds derived from fire insurance or other insurance, funds derived from recoveries of losses, moneys paid in for excavations or work on streets by any public utility company or others making excavations or paying for private improvements made in the streets or highways, tuition fees, hospital fees, shall be considered assets, and shall not be computed when converted into money in estimating the limits of the annual budget. “Revenue”
defined.

Such money shall be placed to the credit of the proper general ledger account, and may be expended during the current year. Monies not
included in
Revenue.

Such fund shall stand to the credit of the account of the department or subordinate Board from which it originated; however, subject to be transferred as provided in this Act.

Expenditures
over \$500.00

SEC. 27. *Be it further enacted,* That where the estimated expenditure of any public improvement or other public purpose, taken as a whole, amounts to more than Five Hundred (\$500.00) Dollars, it shall be the duty of the Mayor to have the same advertised and let the matter or work for which the expenditure is desired to the lowest competent and responsible bidder, provided, that the Mayor may reject any and all bids for such public improvement or work, and may elect to have such improvement or work done by the City.

Over \$1,000

No expenditure in excess of One Thousand Dollars (\$1,000.00) shall be made until authorized by resolution by the City Council.

Interest in
Expenditures
Prohibited.

It shall be unlawful for any member of the City Council or any Board or officer or agent of the City of Nashville whose duty it is to vote for, let out, overlook or in any manner to superintend any expenditure, for any materials, supplies or public improvement, to be directly or indirectly interested in the same; nor shall any person related within the fourth degree, by blood or marriage, according to the Civil Law, to such officer or agent, or any member of any such board, be directly or indirectly interested therein; nor shall any money be paid at any time for such prohibited expenditure.

Limitation on
prohibition.

This provision does not prohibit members of any of the subordinate Boards created by this Act from selling material or doing work or making contracts with the City of Nashville or to or with any other subordinate Board, excepting the Board of which he is a member.

Affidavit as
to interest.

Before payment is made upon any contract with the City of Nashville, or for any materials purchased therefor, the party holding any such account or contract shall declare under oath that no person prohibited by law is interested in the same.

Alterations in
Contracts,
etc

Whenever it is proposed or intended to make alterations or modifications in the plans or specifications of any contract or contracts, that may involve extra cost, such alterations or modifications shall not be made and the city shall not become bound therefor unless the price to be paid for such extra work shall have been agreed upon in advance of doing the work, and evidenced by a writing signed by the Contractors and the Mayor; and such extra allowance shall not in any case exceed the sum fixed by such written agreement.

Extra work.

No recovery shall be had by any Contractor for any extra work done for the city of any department thereof, unless the agreement to pay the same be in writing as hereinabove provided.

All Contracts made for the city, when other conditions are equal, shall be given to the parties, concerns or manufacturers whose home office is in the said City or in the County of Davidson.

Local parties favored.

Convict labor shall not be employed by any Contractor on any public work of the City of Nashville.

Convict labor Prohibited.

The foregoing regulations shall apply to the making of public improvements or letting of contracts by the subordinate Boards of the City.

Subordinate Boards of City.

SEC. 28. *Be it further enacted*, That no Councilman, Mayor, Official, subordinate officer or employee of the City shall be connected with or interested in, directly or indirectly, any contract with the city; nor shall any such officer or employee receive any compensation other than that herein expressly provided; nor shall extra pay be allowed or received by any officer or agent of the City serving on a Committee or any other or additional capacities or agencies for the City; nor shall such officer or agent receive any commission whatever when appointed to such service during his term of office.

Interest in Contracts prohibited.

Extra Pay, Compensations and Commissions Prohibited.

Whenever the duties of any officer, employee, or agent of the City shall require him to visit a point beyond the limits of the County, his reasonable expenses may be paid by the City, if such payment is authorized by the proper officer or officers.

Expenses for trips paid

SEC. 29. *Be it further enacted*, That all property, real, personal, and mixed, which is subject to State taxes, shall be assessed and listed for taxation in the names of the owners or reputed owners, alphabetically for the entire city.

Assessment for Taxes—Property.

The assessment shall be made under the laws for which such property is assessed for State and County purposes, except as otherwise provided by this Act.

Laws Governing.

Said property shall be assessed by a City Tax Assessor, appointed as provided by this Act, with the same powers as are conferred by law upon County Tax Assessors.

By City Tax Assessor.

The City Council of said City shall have power to provide, by resolution, for the correction of erroneous assessments, but such error shall not consist of errors of judgment as to value, except in case of forced assessment.

Correction of errors.

Only such corrections may be made as shall be referred to the City Council by the Mayor, and no such error shall be granted or reduction made for a period longer than three years prior to the application.

Corrections referred by Mayor.

Three year Limit.

In order to enforce collections of taxes on property or privileges when due, the City Council of the City of Nashville shall have the power by ordinance to fix penalties to be paid by the delinquent taxpayer in addition to the legal rate of interest for the non-payment thereof when due.

Penalty for non-payment

Such penalty shall not be greater than six per cent on the amount due and shall become a part of the tax, and be paid into the City Treasury as other City Taxes.

Distress
Warrants.

The City Comptroller shall have power to issue distress, alias and pluries warrants in the name of the State of Tennessee on behalf of the City of Nashville, to enforce collections of all taxes and privileges and assessments.

Such warrants may be executed by the sheriff, deputy sheriff, or constable of the County for each return of nulla bona on said warrant there shall be a fee of twenty-five cents to be taxed in the cost, and for each collection made under such warrant there shall be the same fees as for collecting under execution at law, which shall be paid by the delinquent tax-payer.

Assessment of
Omitted
taxes.

The City Comptroller shall have power and authority to assess all omitted taxes on property and privileges upon a notice of five days to the owner or his agent.

Appeal.

If the owner is dissatisfied with said assessment, he shall have the right of appeal to the Board of Tax Equalization of the city.

Said appeal must be taken within ten days from the date of the assessment made by the Comptroller.

The assessment by the Board of Equalization shall be final on all questions of fact, as in other cases.

Lien for Taxes.

The lien for taxes on real estate shall remain a lien until the tax penalties and costs are paid, whether a bill be filed or other procedure taken for the collection thereof.

Taxes collected
by suit.

The City of Nashville shall have authority to collect unpaid taxes on realty, after a return of nulla bona, by a suit either at law or in equity.

Bill in Equity
to Collect
taxes.

Any bill filed in equity, may include as many as twenty-five distinct pieces or tracts of land, the owners thereof being made defendants to the bill and such cause shall not be subject to objection for misjoinder by reason of such several and distinct interests, or because publication has not been made for delinquency.

All parties necessary to enable the Court to enforce the lien and divest the title out of the owner or owners and invest the same in the purchaser may be made parties defendant.

Should any person interested pay the tax, interest, penalty and cost, after the bill has been filed and before the sale of the land, the City shall dismiss the suit as to such person and property to that extent.

Each person shall pay his proportionate part of the cost.

The bills herein provided for shall be in substance and in form the same as other bills in the Chancery Court for the purpose of foreclosing and enforcing liens and collecting taxes, assessments and money due under lien and for divesting title and making title.

No defendant shall be entitled to a copy of the bill without applying to the Clerk of the Court and paying for such copy.

It shall not be necessary that all defendants names be

included in the copy of the subpoenas to be left with said defendants or in publication for any non-resident defendants.

The cause shall be at issue as to any defendant when his answer is filed or pro confesso has been taken. It may be proceeded with by or against anyone or more of the defendants until final judgment sales and confirmation of title, without in anyway affecting any other defendant to the suit.

Any party to the bill shall have the right to appeal to the Supreme Court or Court of Civil Appeals, or shall have the right of writ of error, as their rights in such proceedings may be, and such appeal shall not affect the proceedings as to other parties.

SEC. 30. *Be it further enacted*, That the City Council, within the provisions of this Act shall not have power to levy in any one year for ordinary corporate purposes a higher rate of tax than one and one-tenth per cent of the assessed value of the taxable property within its limits: and the word "ordinary" is to embrace all expenses for fire, police, streets, gas, water, and all other purposes strictly municipal, excluding interest on debt and tax for sinking fund, or a tax to pay any judgment against the City, or in obedience to any mandamus or expense for the schools, for which an additional levy may be made.

That if at any time it shall appear in the Judgment of the Mayor that the levy by the City Council of taxes, for that fiscal year is insufficient for properly conducting the affairs of the City, consistent with the health, comfort and convenience of its inhabitants, he shall report to the City Council such fact, furnishing it with an estimate of such deficiency, and it shall be lawful for the City Council in its descretion to make such additional levy upon the property within the City, real, personal and mixed, taxable for State purposes, but not to exceed the limit provided by this Act.

SEC. 31. *Be it further enacted*, That for the purpose of providing means for the liquidation and retirement of the bonded indebtedness of said city, a sinking fund is hereby created, into which shall be paid, on the first of each month after this Act becomes effective, ten per cent of all taxes and revenues from all sources whatsoever, except from the tax for school purposes, park purposes and other special levies, and from any money derived from the sale of any bonds received by and coming into the City Treasury.

The Comptroller, as above provided, shall deduct ten per cent from the aggregate thereof, and deposit the same in the City Depositories, to the credit of "Sinking Fund" and he shall open and keep in his books in his office an account designated "Sinking Fund Account," which shall show accurately and specifically all payments made into and disbursements made out of said sinking fund.

- Used to Retire Bonds. The money paid into the sinking fund shall be used exclusively for the purchase, retirement or payment of any of the outstanding bonds of the City.
- Transfer to "General Fund" amount prorated to bond redemption. The City Treasurer is authorized to transfer from said sinking fund account to the general fund of the City an amount equal to the several sums prorated out of tax collections and set aside for the redemption of bonds for which said proratas are specifically provided, and such sum transferred as authorized herein shall be considered as a current revenue in determining the budget appropriations for the ensuing year.
- Purchase of Bonds with. At the end of each quarter, the City Comptroller shall buy with the accumulation of money in the sinking fund, and with the approval of the Mayor, any of the outstanding bonds of the city, at the lowest prices at which they are offered or can be obtained, and in the event he shall be unable to buy any of said bonds at less than par, as herein authorized, he shall call as many of said bonds, subject to call, as there are funds on hand to pay the principal and accrued interest thereon, if he deems such action for the best interest of the City, before investing said funds in any of the bonds of said City at more than par and accumulated interest.
- Call of Bonds. The bonds which it is intended for the City Comptroller to repay, redeem and retire shall be designated by number in the call, and such call shall be published and advertised for not less than thirty days in one or more of the daily newspapers published in the City.
- Publication of Call. The call shall designate the time and place where they shall be delivered for payment.
- Interest stops. Interest on the bonds shall cease on the day fixed in the call for their payment.
- Cancellation of bonds. When they have been paid and redeemed, such bonds, together with the coupons thereon, shall be canceled immediately, and secured in a well-bound book kept for the purpose.
- Payments on written order of Comptroller. All payments out of the sinking fund shall be on the written order of the City Comptroller, with the object and purpose of the payment plainly stated, and it shall be directed to the City Treasurer.
- Countersigned by Mayor. Such order shall be countersigned by the Mayor, and it shall be kept by the City Treasurer in a well-bound book.
- Investment of Sinking Fund. The City Comptroller, with the approval by resolution of the City Council, is authorized to invest any of the City's sinking fund in any bonds of the United States, of the State of Tennessee, or of the City of Nashville heretofore and hereafter issued which are general obligations thereof, or in its anticipation revenue notes, no bonds of the city shall be purchased by any of said sinking funds from the city except at the price of par and accrued interest, and the bonds and its anticipation revenue notes so purchased need not

be advertised for sale by said city; all purchases of bonds with sinking funds, except from said city, shall be made only after the receipt of sealed proposals for whose submission a notice shall be published at least ten days before the date named therein for the receipt of bids in a newspaper or financial paper in the City of New York, or a daily newspaper published in the City of Nashville, such notice may call for proposals of certain bonds or any bonds of the city, but such purchase may be made without advertisement upon the authority of the City Council granted by resolution. The interest accruing upon any bonds or anticipation revenue notes purchased with any of the sinking fund shall be collected and become a part of the sinking fund. Bonds and anticipation revenue notes purchased with the sinking fund shall be securely and safely kept to the account of the sinking fund. The Comptroller shall have the power to sell either with or without advertisement, from time to time, all or any of the bonds in said sinking fund, at the best price obtainable therefor, upon authority granted by resolution of the City Council, and may dispose of the same by advertisement for ten days.

Sale of Bonds
in Sinking
Funds.

The Comptroller shall make to the City Council a detailed report of the amounts paid into the sinking fund and disbursed out of it, on the first of January and July of each year, accompanied with certificate of the City Treasurer, showing the bonds or anticipation revenue notes and the numbers thereof, all the necessary expenses of the redemption, cancellation and preservation of said bonds and anticipation revenue notes shall be paid out of the general funds of the City.

Report of
Comptroller.

Expenses paid
out of
General
Fund.

SEC. 32. *Be it further enacted,* That the City Council, under the limitations of this Act, shall have power to issue from time to time, by resolution, revenue notes, bearing interest at not more than six per cent per annum, and maturing within the current fiscal year for the purpose of providing funds in anticipation of revenues for ordinary and extraordinary purposes, and of revenues for park purposes, and to issue refunding notes, with like limitations upon interest and maturing not more than one year from their date, where the latter shall be necessary to provide for the payment of any such revenue notes at maturity.

Revenue Notes.

Refunding notes

The aggregate amount of liability or indebtedness which the city is herein authorized to incur in anticipation of the collection of current revenues shall not at any time outstanding exceed eighty per cent of the amount of taxes actually collected during the last preceding fiscal year from the ad valorem tax levy for all ordinary and extraordinary purposes or park purposes, as the case may be.

Limit of
liability in
anticipation
of Revenue.

Such notes shall be sold by the City Comptroller with the approval of the Mayor, in such manner and upon such terms

Sold by City
Comptroller.

as they may elect, but shall not be sold at less than par, except by a vote of two-thirds of the members of the City Council authorizing such sale, and then at a price not less than Ninety-Nine Dollars on the Hundred Dollars.

Proceeds of Revenue Notes.

The proceeds of revenue notes shall be put into the Treasury of the City, to the credit of the ordinary fund, or park fund, as the case may be, and the proceeds of such refunding notes shall be applied solely to the payment of the revenue notes for the retirement of which they shall have been issued.

Notes Payable where

Said revenue and refunding notes and the interest thereon, shall be paid at such place or places, in the City of Nashville, or elsewhere, as may be designated by resolution.

Tax Levy for payment of

The City Council is hereby authorized to levy sufficient taxes upon all the taxable property of the City, over and above all other taxes authorized by law, for the payment of such revenue and refunding notes, and the said notes shall be the absolute, direct and general obligations of the City of Nashville, and no such refunding notes shall be issued unless in the resolution authorizing their issuance provision is made for the levy and collection of a tax at the time of the next regular city tax levy, sufficient for the payment of the principal and interest thereof, any resolution providing for the issuance of such notes shall be valid when passed by the City Council and approved by the President of the City Council and such resolution shall not be subject to the referendum and sinking fund provisions of this Act.

Resolution Authorizing issuance of Notes.

Temporary notes in anticipation of bond issue.

SEC. 33. *Be it further enacted,* That the City Council shall have power by ordinance to borrow money and issue from time to time temporary notes or bonds bearing interest at not more than six per centum (6%) per annum, and payable not more than three years from their date, for the purpose of temporarily financing and carrying out of any purpose for which said city has been or shall hereafter be authorized to borrow money and issue bonds, in anticipation of the receipt of the proceeds of the sale of the bonds; provided, however, that said temporary notes or bonds shall not be issued unless and until the referendum and other provisions of the enabling Act authorizing said bond issue have been fully complied with by the City Council, and until the validity and legality of the proposed bond issue has been approved by competent and responsible expert bond attorneys.

Amount of

The temporary notes or bonds hereby authorized to be issued shall not exceed in amount the maximum authorized amount of the bonds in anticipation of the revenue from the sale of which, the temporary notes or bonds are issued.

Issued and Executed as Other bonds.

Such temporary notes or bonds shall be issued and executed as other bonds of the City are issued and executed or in such other manner as the City Council shall direct, and the

same shall be submitted to and approved by the City Attorney before they are issued and his written approval endorsed on the notes and bonds. Such temporary notes or bonds and the interest thereon shall be the absolute, direct and general obligations of the City of Nashville, State of Tennessee. The principal and interest of any of such temporary notes or bonds falling due, (a) before the issuance and sale of the bonds upon which they are predicated, or (b) before any temporary refunding notes or bonds are issued and sold, shall be paid from the ordinary funds of said city, and in that event the ordinary funds of the said city shall be reimbursed from either the proceeds of the sale of the permanent bonds on which such temporary loan is predicated or from the proceeds of the sale of the refunding temporary notes or bonds; provided, however, that the proceeds of any special tax authorized under the permanent bond ordinances which may have been collected shall be first applied to the partial payment of the principal of such temporary loan.

Approved by
City
Attorney.

Payment of
Principal and
Interest.

In each year during the life of said temporary notes or bonds or any renewal thereof, the City Council shall include in the annual tax levy, over and above all other taxes authorized by law, a sum sufficient to meet the interest thereon falling due in the ensuing year, and in addition thereto a sum not less than the amount of the installment of the principal of the permanent bonds required by the ordinance to be retired in that year; and the City Council may, within their discretion, include in the annual tax levy, over and above all other taxes authorized by law, a sum sufficient to re-imburse the ordinary fund for appropriations made or to be made therefrom for the payment of any such principal or interest.

Tax levy to
pay.

In the event that said temporary notes or bonds or any renewal thereof, shall for any reason not be paid from the proceeds of the sale of the bonds on which they are predicated, said City Council shall include in the annual tax levy, over and above all other taxes, authorized by law, a sum sufficient to pay the principal and interest, thereof. Such temporary notes or bonds shall be sold in such manner and upon such terms as it may elect, but shall not be sold for less than par, except by a vote of at least ten (10) members of the City Council and then at a price of not less than Ninety-Seven Dollars on the One Hundred Dollars; and that the proceeds from the sale of said temporary notes or bonds shall be paid into the Treasury of the City to the credit of the fund, to which the proceeds of the sale of the authorized bonds (in anticipation of the revenue from the sale of which said temporary notes or bonds are issued) are directed to be deposited.

Sale for less
than par.

Deposit of
proceeds

Temporary Refunding Notes

Ordinance Authorizing Issuance.

Retirement of such notes.

With like limitations upon interest, amount and maturity, the City Council shall have the power to issue temporary refunding notes or bonds. Where the same shall be necessary to provide for the payment of any such temporary notes or bonds at their maturity, and that the proceeds of the sale of such temporary refunding notes or bonds shall be applied solely to the payment of the temporary notes or bonds for whose requirements they shall be issued; the payment of such temporary refunding notes or bonds and the interest thereon shall be made at such place or places in Nashville or elsewhere, as may be designated by the City Council, any ordinance providing for the issuance of any such temporary notes or bonds shall be valid when passed by the City Council and approved as other ordinances, and the provisions of Section 34 of this Act shall not apply to any such temporary notes or bonds. The City Council may retire such temporary notes or bonds, or any part thereof, from the proceeds of the special taxes levied and collected under the provisions of this section, in lieu of retiring such temporary notes or bonds by means of the sale of the authorized bonds, provided, however, the said City Council, upon the actual retirement of any of such temporary notes or bonds, by the means hereinabove referred to, shall amend or repeal the ordinance authorizing the issuance of said bonds so as to reduce the authorized amount of the bond issue by the amount of the temporary notes or bonds so retired. Whenever any of such temporary notes or bonds are issued and sold as hereinabove provided, and the authorized bonds are sold prior to the payment, or retirement of such temporary notes or bonds; the proceeds of the sale of said bonds shall be first applied to the retirement of the outstanding temporary notes or bonds predicated upon the sale of said bonds.

Bond Ordinances.

Referendum.

Question submitted

SEC. 34. *Be it further enacted*, That every ordinance involving the issuance of any bonds (except bonds issued in the case of emergencies for renewals of destroyed necessary municipal structures, or for the purpose of funding outstanding bonds, or bonds authorized under Section 42, or bonds or notes authorized under Section 33, or anticipation revenue notes provided for in this Act), must be submitted to the qualified voters of said City, at a special election called for that purpose, or at the General City Election, and if the majority of the qualified voters voting in such special or General City Election on the matters embraced in this Section vote in favor of such ordinance or ordinances, the same shall become a law.

It shall not be necessary to submit to the voters any other question than the maximum amount and the purpose or purposes of the bonds proposed to be issued. It shall be the duty of the City Clerk to enter upon the minutes of the

City Council the result and returns of such referendum election which shall, after the delivery of, and payment for, any bonds voted upon at such an election, be conclusive evidence of the result of such election; such bonds shall be the absolute, direct, and general obligation of the City of Nashville.

SEC. 35. *Be it further enacted*, That no bill or ordinance for the granting of any franchise or extension, shall be put upon final passage within sixty days after its introduction no franchise shall be renewed before one year to its expiration. Franchise Ordinance

Every ordinance or bill involving the granting by the City of any franchise or amendment to existing franchise for the supplying of light or water for the lease or sale of any public utility, for the exemption of any quasi-public corporation from the duties imposed upon it by its Charter or the law of the land, or involving the granting by the City of any right of way over, through or under the streets, alleys, avenues or property, to any street railroad, telephone, telegraph, gas, electric light and power, heating or other such company, must be submitted to the qualified voters of said City at a special election to be called for that purpose, or at a general City election, provided, however, that the City Council shall have power and authority to authorize and permit any ordinance, telephone, telegraph, street railway, electric light and power, gas or heating companies which are now in existence or which may be hereafter created, and which have obtained franchises in accordance with the provisions of this Act, to erect additional poles, or to extend their lines in said City, without an affirmative vote of the qualified voters of the city. If a majority of the qualified voters in such special or general City elections voting on the matters embraced in this Section vote in favor of such ordinance or ordinances the same shall become a law. Referendum Election

The expenses of all such elections, whether held at the time of special or at the time of a general city election, or the prorata part thereof, when held in conjunction with a general city election shall be paid by the persons or the corporation in whose behalf said Franchise question and election shall have been called for the purpose of voting on such ordinance or ordinances. Expenses of Referendum Election

SEC. 36. *Be it further enacted*, That the City, through its Comptroller is hereby authorized to pay all of the expenses incident to and growing out of the issuance, sale and collection of any bond issue from the proceeds derived from the sale of such bond issues, and to pay into any special redemption or sinking fund providing for any such issue any balance or surplus of funds left after the object for which the issue was made has been fully paid for, and shall be Expenses of Bond Issuance

Balance of bond funds

appropriated and applied to the payment of interest and the retirement of the bond issue from which it was derived.

Budget may include unexpended revenue from previous year.

SEC. 37. *Be it further enacted,* That it shall be lawful for the City of Nashville to embrace in its budget for any one year, revenue carried in the budget for the preceding year, and which has not been expended during such preceding year. This provision shall not authorize the City Council to depart from the prescribed plan of making its budgets except as herein expressly authorized.

Creating liability in excess of budget.

SEC. 38. *Be it further enacted,* That any officer or employee, or other person intrusted with the collection or disbursements of the funds of the City, who shall create or aid in creating any liability against the city, beyond the expenses fixed by the budget and as provided in this Act, or who shall divert funds thus appropriated, shall be civilly liable to the City for the excess and loss to the City, together with principal and interest and the reasonable expense of collection.

Diverting Funds.

Liability for

Only one office of profit under City

SEC. 39. *Be it further enacted,* That no officer of the City who receives compensation for his services shall, except as herein otherwise provided, during the term for which he is elected, or appointed, hold any other office or profit under the City Government.

Officers Bonds.

SEC. 40. *Be it further enacted,* That all bonds of officers or employees not fixed by this Act shall be fixed by ordinance.

Contract Bonds.

All bonds given to secure contracts where the amount exceeds Five Hundred Dollars, shall be executed by sureties to be approved by the Mayor, and such bonds to secure contracts amounting to Five Hundred Dollars or less, may be secured as may be required by the Mayor.

Donations Prohibited.

SEC. 41. *Be it further enacted,* That the Mayor and City Council and each and every other officer and agent of the city is hereby prohibited from employing or appropriating the revenues, assets, property and taxes of the city in any other manner than for purposes strictly municipal and local and according to the provisions of this Act. Said officers and agents are prohibited from appropriating or using any of the moneys, revenues, assets or property of the city, or its credit, either directly or indirectly, by way of donations for festivities, exhibits, shows, lectures, pageants, excursions, decorations or parades. Said officers and agents are prohibited to subscribe to the stock of any railroad or other corporation, or to buy the bonds thereof, or to give or lend any money, aid, credit or property of the city, either directly or indirectly to any person or corporation, whatsoever; said city shall have the power to sell, lease, or dispose of any property belonging to it for the fair reasonable market value thereof.

Sale of Property

No public utility belonging to the city shall be sold, leased or disposed of, unless and until such lease, sale or disposal has been submitted by ordinance to the qualified voters of the City, as provided in the section of this Act, wherein the franchise referendum is provided. Sale etc., of Public Utility

The Mayor of the City of Nashville is hereby authorized to donate water free of charge for the encampment of Federal troops or State Militia within the vicinity of the city, while encamped and mobilized near the city for the purpose of preserving peace. Free Water to Military Camp.

Water shall not be given free to any other person, association, or corporation. No free water.

Sec. 42. *Be it further enacted,* (1) That the Board of Public Works shall have the power and authority, with the approval of the Mayor, to design, or cause to be designed, contract for, and execute, or cause to be executed, the construction and improvement or the reconstruction and re-improvement of any street, avenue, alley, highway, or other public place, by opening, extending, widening, grading, paving, macadamizing, curbing, guttering, or otherwise improving the same, in such manner and with such material or materials, and with such culverts and drains, as said Board with the approval of the Mayor may prescribe, and to cause two-thirds of the cost or expense of the aforesaid work and improvements to be assessed against the property abutting on said street, avenue or alley or other public place so improved. Such improvement shall be constructed as provided in this Section. Whenever the owners of two-thirds of the affected front footage of the abutting property shall petition in writing for such improvement to be made, and the cost of such improvement shall be assessed as provided. Authority to construct, etc. streets etc., in Board of Public Works.

(2) That when it shall be determined to construct any improvement authorized by the preceding subsection of this Section, two-thirds of the cost of which is to be assessed against the property abutting on the street, highway, avenue, alley, or other public places to be improved, it shall adopt a resolution that such improvement or improvements shall be made, which shall describe the nature and extent of the work, the character of the material or materials to be used. The location and terminal points of the proposed improvements, and the streets, alleys, highways, or other public places or part or parts thereof, on which such improvements are to be made, and which shall direct that full details, drawings, plans, specifications and surveys of said work and estimates be prepared or caused to be prepared by the Mayor; or the said Board may adopt plans for such work already prepared. Such details, drawings, plans, specifications, and estimates, shall, when completed, be placed on file in the office of the City Engineer; where the property owners who may be affected by such improvement may see and examine the same, Two-thirds of expense assessed to abutting property. Petition for improvement. Improvement authorized by Resolution Plans, specifications, etc., filed

and the said resolution shall appoint a time when said Board and Mayor shall meet which shall not be less than two (2) weeks after the date of the first publication of notice of said resolution, to hear any objection or remonstrance that may be made to said improvement, the manner of making same, or the character of the material to be used. Notice of the adoption of such resolution shall be given by publishing a notice once a week for two (2) consecutive weeks in same newspaper of daily circulation in said city, which publication shall be notice to all persons owning an interest in property to be affected thereby and subsequent purchasers thereof. It shall not be necessary to set out in full in such notice said resolution; but such notice shall state the character of such improvement or improvements, the location and terminal points thereof, and also the time and place not less than two weeks from the first publication of the notice, at which said Board and the Mayor shall meet to hear remonstrances or protests against the making of such improvement or improvements, at the time and place thus appointed; said Board and Mayor shall meet and at said meeting or a time and place to which same may be adjourned from time to time. All persons whose property will be affected by such improvement or improvements may appear in person, or by attorney, or by petition and protest against the making of such improvement or improvements, the manner of making the same, or the material to be used; and said Board and Mayor shall consider such objections and protests if any, and may confirm, amend, modify, or repeal such original resolutions.

3. In the event said Board confirm or confirms with amendments, said resolutions it shall be the duty of the Mayor to construct the improvement thus authorized, which may be done by contract with the lowest responsible bidder, in accordance with the provisions of the Charter of said City, or it may be done by the employees of the city as said Board and Mayor may elect; provided, however, that in case said work is let to the lowest responsible bidder, all bids submitted for the construction of such improvement shall be accompanied by a certified check, or a suitable bond, with a solvent surety, indemnity insurance company authorized to do business in the State of Tennessee, in a penal sum of at least ten per cent (10%) of the entire cost of the work to be done or improvements to be made, computed on the basis of the bids submitted, and conditioned that the contractors named therein shall, in case said work is awarded to them, enter into a contract with said city, within the time required, and for the price named in their respective bids, and in accordance with the plans and specifications for the improvement and the provisions of the resolution of said Board authorizing the improvements.

Objections to improvement heard.

Notice of hearing.

Property owners may protest

Action on hearing.

Resolution confirmed.

Mayor constructs by contract or City employees.

Bond or check required with bid.

Said Board shall have the power to reject any and all bids and to order new bids. The successful bidder shall execute a bond to said city in an amount equal to twenty-five per cent (25%) of the entire contract price of such improvement, conditioned that the parties shall well and truly perform all the terms and conditions of the contract in a good and workman like manner and in accordance with the plans and specifications, which shall form a part of said contract, and shall indemnify and save the city harmless from all losses, costs, and expenses which it may sustain by reason of any negligence of such contractor.

4. That after the completion of the work on improvement it shall be the duty of said Board and the Mayor, in conformity with the requirements of said resolution, to apportion two-thirds of the costs of such improvement upon the the land abutting the said street, highway, avenue or alley, which apportionment shall be made against said land and the several lots or parcels thereof according to the frontage of said lots or parcels on or alongside of said street, highway avenue or alley; provided, however, that the aggregate or total amount of the levy or assessment made upon or against any lot or parcel of land shall not exceed one-half of the assessed value of said lot for municipal taxes for the current year; and the city shall pay any part of such levy or assessment upon or against any such lot or parcel of land as may be in excess of one-half of said assessed value thereof including the improvements thereon. The cost and expense of the preliminary and other surveys and the inspection and superintendance of such work.

The preparation of plans and specifications, the printing and publishing of notices, resolutions, and ordinances required, including notice of assessment, preparing bonds, and any other expenses necessary for the completion of such improvement, including the cost of the improvement of any street in each street or alley intersection, except the share to be assessed against street railway companies, as herein provided, shall be paid, and borne by the city; and no cost thereof shall be included or levied on the property fronting or alongside of the street, highway, avenue or alley, where the said improvements are made.

5. When any street, highway, avenue or alley to be improved in accordance with the provisions of this Act has located therein the track or tracks of any street railway or commercial railroad company which had agreed to pave any portion of such street, highway, avenue, or alley, and by the terms of its said agreement has the option of either doing said work of paving in accordance with the plans and specifications prepared by said city, or of permitting said city to do said work at a price to be paid to said city by said company, it shall be the duty of said Board to first

Contractor's
BondCost
Apportioned.Assessment
limitedCost and
expenses paid
by City.Cost of paving
between
tracks

ascertain if said company desires itself to do its portion of said paving or desires that the same shall be done by the city. If said company elects to have its portion of said paving done by the city at the same time the rest of said paving is done, then, and before proceeding to apportion any portion of the cost of said improvement upon any of the lots or parcels of ground abutting on said highway, said Board and Mayor shall first deduct from the total cost of said improvement the amount that should be paid by such company. After deducting the amount that is to be paid by such street or commercial railroad company, said Board and Mayor shall next proceed to apportion two-thirds of the balance of the cost of such improvements upon the land abutting on such street, highway, avenue or alley, as hereinbefore and hereafter provided.

6. When said Board and Mayor shall have completed such apportionment as provided by this Act, it shall publish a notice that said assessment list has been prepared, and that on a day named, which shall not be less than ten (10) days from the date of the first of said notices, the Board and Mayor will consider any and all objections to said apportionment that have been filed in its office and with the City Clerk. Said notices shall further recite that said assessment lists are in the office of the City Clerk and may be inspected within business hours and during the time specified by any one interested. All persons whose property it is proposed to assess for the cost of said improvement may at any time on or before the date named in said notices file in writing with the City Clerk any objection or defense to the proposed assessment against the property or to the amount thereof. On the date named in said notices, or at any day to which said meeting may be adjourned, or to which consideration of said assessments and the objections thereto may be postponed. Said Board and Mayor shall hear and consider said assessments and objections thereto and, after so doing, shall ratify, confirm, modify or amend said pro-rata as shall be deemed right and proper. If no objection to the pro-rata or the amount thereof is filed, or if the property owner fails to appear in person or by attorney and resist the same, the pro-rata shall be confirmed and made final; and property owners who do not file objection in writing or protest against such assessment shall be held to have consented to the same and forever barred to attack the regularity, validity or legality of such assessment. Such confirmation and final action on said assessment by the Board and Mayor shall be by resolution and final on all questions of fact. Provided, however, that any error, mistake of name, number of lot, description of the same, amount of assessment, or any other irregularity whatever, may at any time be corrected, and no such levy or assess-

Notice of
apportionment.

Objections filed.

Assessment
confirmed,
etc.

Final action
by resolution.

Errors and
mistakes
corrected.

ment shall be declared void or invalid by reason thereof; but the person or persons aggrieved may have the same corrected by application in writing to said Board and Mayor. If in any Court of competent Jurisdiction any final settlement made in pursuance of this Act is declared void, then said Board and Mayor may, upon resolution and notice, as required, in the making of an original assessment thereunder, make a new assessment in accordance with the provisions of this Act.

New
Assessment—
when.

7. All assessments levied by virtue of this Act shall be due and payable within thirty (30) days after the assessment is made final as aforesaid; but at the election of the property owner, to be expressed by the payment of the first installment to be paid as hereinafter provided said assessment may be paid in five equal installments, and shall bear interest at the rate of six per centum (6%) per annum. The property owners who exercise the privilege of payment by installments as herein provided shall pay the remaining installments computed as of the date of the assessment annually, in one, two, three and four years. The property owners desiring to exercise the privilege of payment by installments shall, before the expiration of the thirty days aforesaid make payment of the first installment of the five equal installments of the assessment against any such property, owner or owners, the payment of such first installment to be held and constitute a waiver of any illegality, irregularity or invalidity with regard to the assessment against such property. In all cases where the first installment has not been paid within the time prescribed, the entire assessment shall be payable in cash on expiration of said thirty days provided, that any property owner or owners who shall have elected to pay such assessment in five equal installments shall have the right and privilege of paying up the assessment in full at any time by paying the full amount of the assessment together with accrued interest; provided, further, however, that if any property owner makes default of payment of any installment and interest thereon when the same matures all of the delinquent installments of his assessment, with interest and an additional sum equal to one-half the annual interest thereon shall become immediately due and payable. In all cases where said first installment of an assessment has not been paid within the period of thirty days, it shall commence to bear interest at the rate of six per centum (6%) per annum upon the date expiration of said period.

Assessments
due and
payable.

Payment by
Installment.

Default in
Payment.

8. After the said Board and Mayor shall have levied said assessment against the property abutting upon such street, highway, avenue, or alley, the Board shall deliver a list of such assessments to the City Comptroller who shall enter it, or cause the same to be entered, in a well-bound book styled, "Special Assessments," which book shall be so ruled as to

"Special
Assessments"
book

conveniently show (1) the name of the owner of said property; (2) the number of the lot or part of lots and the plan thereof, if there be a plan; (3) the frontage of said lot and the depth thereof; (4) the amount that has been assessed against said lot; (5) the amount of each installment and the date on which each installment is due. Said book shall be indexed according to the names of the owners of the property and according to the names of the streets that have been improved. The City Comptroller shall issue his receivable warrant to the individual or owner desiring to pay any of said assessment, which amount shall be paid to the Treasurer of said city as other taxes and revenues of said city are now paid. Whenever any installments of any assessment shall become past due for a period of sixty days (60) it shall be the duty of the City Comptroller of said city to certify said installments and all other installments of the same assessment to the City Attorney of said city, whose duty it shall be to immediately enforce the collection of such installment or installments by attachment levied upon the lot or parcel of ground upon which such assessment or assessments were assessed. In case of the non-payment of any installment as prescribed by this Act, then all of the installments shall become due and delinquent, and a bill shall be filed and lien thereunder enforced, and collected in the Chancery Court of Davidson County, any land may be sold in said proceedings, in bar of equity of redemption and all other rights, legal or equitable, belonging to the owner or owners of said bond. Any such Bill may include as many as twenty-five (25) distinct pieces or tracts of land, the owners thereof being made defendants to the bill; and such cause shall not be subject to objection for misjoinder by reason of the distinct interest that several of the defendants have in the property proceeded against, and all parties necessary to enable the Court to enforce the lien and to divest the title out of the owner or owners and invest the same in the purchaser may be made parties defendant, with all the rights, procedure and provisions as are authorized in the collection of sidewalk assessments and taxes in this Act. It is hereby intended that said sums of money expended under this Act, together with all interest, costs, charges, etc., as have heretofore been set forth, shall be, and are, and do constitute a lien upon the fee in said lot or lots or parcels of ground, and not merely upon the interest of the person or persons to whom said assessment and levy may be made, but to any and all other interest in said property whether in reversion, remainder or any estate of any nature whatsoever; and said assessment shall not be invalid on account of said assessed property having been based on the assessment made against any one as owner or owners, or where the owner or owners are unknown. The said lien shall be prior and superior to all other liens or

Indexed.

Delinquent Installments.

City Attorney collects.

Chancery Court bill to collect.

Assessment costs, etc., a lien on property.

incumbrances of any nature whatsoever, except State, County, and Municipal taxes, and shall be of equal dignity with sidewalk assessments. Said lien shall attach when said Board and Mayor shall have ordered the improvement made in accordance with the plans and specifications prepared for the Board. When said order shall have been entered upon the Minute Book of the Board, such entry, where duly signed by the Chairman of said Board, shall become a notice and fix the lien as to all parties who have acquired any title, right, or interest in or to said lot or parcel of ground or who may thereafter acquire any title, right or interest therein.

The City Attorney is authorized to have an abstract of title made to such lot or lots, and the expenses thereof, shall be charged as an item in the collection of said assessment.

9. When said Board and Mayor shall have ordered the construction of any improvement in accordance with the terms of this Act, the City Council shall have the power and authority, for the purpose of providing the means to pay the expenses of said improvements chargeable to property owners, to issue negotiable bonds of the municipality to the amount in par value not exceeding two-thirds of the estimated cost of any such improvement or improvements, which cost shall for this purpose be estimated by the City Council in an ordinance, approved as other ordinances, authorizing the issue of said bonds. Such bonds shall be payable to the bearer in lawful money of the United States, either at the office of the Treasurer of the municipality or at such other places in the United States as may be designated in the bond, and such bonds shall be in the form and signed by such officials as may be provided in the ordinance directing the issue, coupons may bear a fac-simile signature or signatures. In case any such officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds to the purchaser, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until the delivery of the bonds. The bonds shall run for one, two, three, four and five years, and bear interest at a rate not exceeding six per centum per annum, as may be designated in the bonds, payable semi-annually, with interest coupons attached; and such bonds shall be of such denomination as the City Council in said ordinance may order and direct. The City Council may, in its discretion, in such ordinance provide that any bond shall be payable at the option of the municipality at any interest paying period; and if the City Council desires to exercise this right, it shall be stated on the face of the bonds, as well as in the ordinance authorizing their issuance, that they are subject to call at any time before their maturity that the City Council may deem proper; provided, however, that

Lien
attaches

Abstract of
title.

Bonds to pay
expenses of
improvements

Maturity and
Interest.

Redemption.

notice shall be given before any such interest period by publication three times once a week, for three consecutive weeks, in a daily newspaper published in said city, the first publication to be not less than thirty (30) days prior to the interest period at which it is proposed to redeem the bonds, such notice stating the intention to redeem the bonds and describing them by number and series, as is provided for retiring or calling bonds in other cases. Said bonds shall be sold at public or private sale at not less than par and accrued interest; said bonds shall be absolute and general obligations of the municipality, and the assessments levied upon the property abutting on the streets, highways, avenues or alleys, or part or parts thereof, in respect of which any such bonds are issued, shall be set apart as a fund for the payment of such bonds and interest. It shall be the duty of the City Council of said city to levy an ad valorem tax upon all of the taxable property in the city to pay the principal and interest of said bonds as they may become due or to pay such part or parts thereof as are not provided for by the assessments levied and actually collected and in the treasury of the city set apart for the payment of such bonds and interest. The tax herein provided for shall be in addition to all other taxes which such municipality is authorized by law to levy, any ordinance authorizing the issuance of such bonds shall be valid when passed by the City Council of said city, and the provisions of Sections 31 and 34 of this act shall not apply to bond issued under this sub-section. Said ordinance may, in the discretion of the Legislative Body, provide for the issuance of bonds in one lot or amount in respect of any one or more of such improvements on one or more streets, avenues, alleys, or highways, or part or parts thereof, and may, in the discretion of the City Council of said city, provide that any assessments levied in respect of any such improvement or improvements on one or more streets, avenues, highways, or alleys, may be applied as a whole toward payment of such entire lot or amount of bonds or interest thereon; and it shall not be necessary that each assessment for each separate improvement shall be kept separate and applied to the bonds issued in respect to that particular improvement. After the passage of any ordinance authorizing the issuance of bonds, any of the proceedings authorizing the advertisement or sale or award of the bonds may be taken by order or resolution, made at a single meeting or session of the City Council of said city, and need not be by ordinance. Any such bonds may be issued in substantially the following form or in such other form as the Mayor and City Council of said city may from time to time prescribe, such form is as follows, to-wit:—

Sale of bonds.

Special Levy.

Advertisement,
sale or award
of bonds by
resolution.

Form of bonds.

UNITED STATES OF AMERICA.
 STATE OF TENNESSEE.
 CITY OF NASHVILLE.
 STREET IMPROVEMENT BOND.

NO _____ SERIES _____ \$.. _____

The City of Nashville, a municipal corporation, organized and existing under the laws of the State of Tennessee, for value received, hereby acknowledges itself indebted and promises to pay to the bearer the sum of \$.....in lawful money of the United States, on the first day of, 19....., with interest thereon at the rate ofper centum per annum, payable semi-annually on the first day of and in each year, until this bond is paid upon presentation and surrender of the annexed coupons as they severally fall due, both principal and interest being payable at the office of the City Treasurer in Nashville, Tennessee, or at the office of in, at the option of the holder. This bond is issued under and in pursuance of and in strict conformity with an Act of the General Assembly of the State of Tennessee, approved, of the Acts of the year and in other statutes, and the constitution of said State and the Charter of said city in such cases made and provided, and under and pursuant to ordinances and proceedings of said city, duly adopted and had, and to provide means to pay not exceeding two-thirds of the estimated cost of certain street improvements. It is hereby certified, recited and declared that all acts, conditions and things required to be done, existed and been performed precedent to and in the issuance of this bond in order to make this bond a legal, valid and binding obligation of the City of Nashville, have been done, existed and been performed in regular and due time, form and manner as required by law; and that the indebtedness represented by this bond, together with all other indebtedness of said city, does not exceed any limit prescribed by the Constitution or statutes of said State or the Charter of said city. The full faith and credit of the City of Nashville are hereby pledged for the prompt payment of the principal and interest of this bond as the same become due. In witness whereof, the Mayor of said City of Nashville and the City Treasurer of said city have signed this bond and attached the seal of said city and caused the interest coupons hereto attached to be signed with the face-simile signature of the Mayor and said City Treasurer, and this bond to be dated 19......

MAYOR.
 CITY TREASURER.

Retired before maturity.

If the municipality reserves the right or option to pay off said bonds before maturity, such right or option shall be expressly reserved in the bonds; and the language of such reservation inserted in such case in the bond may be substantially as follows, or any other appropriate language: The City of Nashville hereby reserves the right and option to pay off this bond at any interest paying period before maturity; and in the event the City of Nashville shall elect to pay off this bond in full at any interest period before maturity, it shall and will pay as a bonus to the holder thereof a sum equal to one-half of the annual interest thereon for one year; provided, however, that the legislative body of said municipality shall give public notice before such interest period by publication three times, once a week for three consecutive weeks, in a daily newspaper published in the City ofthe first publication to be not less than thirty days prior to the interest period of this bond, stating its intention to redeem the same and describing the same by number and series.

(Form of Coupon)

No. \$
 ON THE FIRST DAY OF 19.....
 THE CITY OF NASHVILLE, TENNESSEE, WILL
 PAY TO THE BEARER AT THE OFFICE OF THE
 CITY, IN NASHVILLE, TENN., OR
 AT THE OFFICE OF, IN
 AT THE OPTION OF THE HOLDER,
 DOLLARS, BEING SIX MONTHS INTEREST THEN
 DUE ON STREET IMPROVEMENT BOND No.....

MAYOR.

CITY.

Railroad tracks in street.

10. If there be a street, electric, or steam railroad track or tracks in any street, alley, avenue, or highway improved under this Act, the cost of such improvement between the rails and the space between such tracks and two (2) feet beyond the outer rail, and including switch and turnouts, shall be paid by the owners of such railroad, and shall be assessed and collected from such owner, and shall be levied upon the railroad and the property used in connection therewith; and in the event a culvert be constructed, which drains streets or highways, on which there is a street, electric, or other railroad, there shall be assessed against such railroad a fair and just proportion of the construction of such

Culverts.

culvert, to be determined; and such assessment shall be a lien like other assessments, and may be collected in like manner; provided, however, that where any such railroads shall occupy any street, alley or highway, under ordinance or contract with such city, it shall pay or improve according to the provisions of such ordinance or contract as have been provided in this Act. Where any of the improvements authorized by this Act shall have been directed to be done as herein provided, said Board and Mayor of said city, shall have the power to require any street railroad company, or any steam commercial railroad company, or other rail-using company, to replace the rails that such company have in such street with other rails of a kind to be specified by said Board and Mayor; and when in the judgement of said Board, and Mayor, the rails ordered to be removed are not suitable to be used with paving that is about to be put down, notice thus provided for shall be given at least sixty (60) days before work is begun upon that portion of the street wherein such rails are located. Should the company refuse to comply with the requirements of said notice, the Mayor shall have power to remove all of said rails from such streets, highway, alley or public place, and the expense of such removal shall be paid by such company.

Rails replaced—
when.

11. Before making any of the improvements contemplated in this Act, the Board and Mayor shall have power to order the owner or owners of all abutting real estate to connect their several premises with water mains and sewers in the street in front of their several premises; and upon default of the owner for thirty (30) days after such notice to make connection, the Mayor may contract for and make the connection aforesaid, at such distance, under such regulation and in accordance with such specifications as may be prescribed by it; and the whole cost of such connection shall be assessed against the premises with which the connection is made. Any number of such connections may be included in one contract, and the cost thereof shall be added to the final levy or assessment made against the property of each lot owner as hereunder provided.

Water and
Sewer
connections.

12. In the event of the issuance of bonds as herein provided, it shall be the duty of the City Council of said city to ascertain in due season, in advance of the time for the payment of the principal or interest, or both, of any and all such bonds to be herein issued, and in advance of the time for the payment of the principal or interest, or both, of any such bonds, whether or not there is or will be sufficient moneys provided by the assessments levied and actually collected in the treasury of the municipality set apart for the payment of the principal and interest of such bonds as the same from time to time become due, and it shall be the duty of the City Council in due season, in advance to levy

Tax levy to
pay bonds if
necessary.

an ad valorem tax upon all the taxable property in the municipality sufficient to pay the principal and interest of such bonds as they become due from time to time, or to pay such part, or parts, thereof, as are not or will not be fully provided for by the assessments levied and actually collected and in the treasury of the municipality in season for the payment of the principal and interest of such bonds as the same from time to time become due. In case the municipality shall levy and collect ad valorem taxes for the purpose of paying the principal and interest of any bonds or any part thereof, the municipality shall, nevertheless, have the power and authority to proceed with the levy and collection of the assessments, and such assessments or part thereof sufficient for the purpose shall be paid into the treasury of the municipality to reimburse the treasury for the amount thus paid out of such ad valorem taxes; and such money thus reimbursed to the treasury shall be used for any lawful corporate purpose for which ordinary ad valorem taxes may be legally levied and collected.

Bonds not
affected by
Errors.

13. Any failure on the part of the city to comply with any of the provisions of this Act, and any failure in the existence or performance of any of the conditions precedent to the issuance of any bonds issued under the provisions of this Act, for local abutting property purposes and improvements, shall not effect the validity of such bonds or of the assessments made for such purposes, but the same shall be in all respects valid and binding.

Funds
Collected in
special
account.

14. That the proceeds arising from the collection of assessments levied for each improvement shall be and constitute a separate and distinct fund; and each such fund, together with its accumulations shall be pledged for the payment of the bonds and interest coupons issued for the improvement from the assessment of which said fund arise, and shall be applied exclusively to the payment of such bonds and coupons. It shall be the duty of the Treasurer of said city to keep an accurate account of all funds arising from all assessments for improvements made under this Act, and to carefully and accurately keep a separate account of the funds arising from the collection of assessments for each particular improvement provided, however, that if at any time, the amount of any particular fund shall exceed the amount of any outstanding bonds issued for such improvements as hereinbefore provided, and all such bonds so redeemed shall be cancelled provided, further, that said Board and Mayor shall have the power, after the expiration of sixty (60) days from the date of the final assessment for any improvement, if no bonds for said improvement have been issued and sold, to order the payment out of the proper fund to the contractor who constructed the improvement, of all or any part of the assessment for said improvement

Contractors
paid—how.

previously collected or to reimburse from such collection the general funds of the city to the extent of any money advanced out of the general funds or borrowed to pay the cost of said improvement, and to issue and sell bonds, as hereinbefore provided, to any amount not exceeding the balance due the contractor and the general fund of the city or borrowed for such purpose. If there shall be any surplus arising from the sale of bonds issued for any improvement above the cost of said improvement, said surplus shall be and become a part of the fund levied for said improvement, and shall be kept and applied in the manner as said fund is herein required to be kept and applied, all proceeds arising from the collection of assessments levied for an improvement shall, as soon as collected, be deposited by the Treasurer in some bank to be designated as other funds of the city; and such collection shall not be deposited with the general funds of the city, but shall be considered a separate deposit to the account of "Public Improvement," and shall be drawn out on checks or orders directing the amount designated therein to be paid out of the "Public Improvement Fund." The Treasurer shall be liable on his official bond to any holder of the bond authorized hereby for any loss or injury to such bond holder caused by the diversion of said officer of any said funds or part thereof to the payment of any other fund, certificate of indebtedness, or interest coupons, or indebtedness of the city other than the bonds and interest coupons and indebtedness herein authorized to be paid out of said fund, or by the use or misappropriation by said officer of any part of the fund out of which said bonds are required and contemplated herein to be paid for any other purposes than herein provided for, or for the benefit of the city or others; and any member of the City Council, Board of Public Works, or Mayor or other officer of said city who shall by his or their vote, or in any other manner, cause, aid, or encourage any such diversion, use or misappropriation of the fund out of which the bond holders are entitled to be paid, for any other purpose than that authorized and required herein, whereby loss or injury to the bond holders or any of them is caused, shall be jointly, severally liable to such bondholders injured to the extent of such loss and injury.

"Public
Improvement
Fund."

Liability for
diversion of
fund.

15. In the event a petition be presented to the Board, averring the willingness of each of the signers to pay his or her pro-rata share of the entire cost of any improvement such as is hereby authorized, and relieve the municipality from any payment of any part thereof, as to any street, highway, avenue, alley, or part or parts thereof which petition is signed by the owners of at least sixty-six and two-thirds per cent ($66\frac{2}{3}\%$) of the frontage of the lots or parcels of land abutting on such street, highway, avenue or alley, or

Petition for
Improvement.

part or parts thereof, proposed to be improved as hereby authorized, such petition may be granted by the Board and Mayor of said city; and thereupon proceedings may be had under this Act the same in all respects as if the improvements had been begun by said Board and Mayor on their own initiative, and bonds may be issued and assessments made except that the assessment shall in such event be made for the entire cost of their improvement, and bonds may be issued for the entire cost instead of assessment being made and bonds being issued for only two-thirds of the cost thereof; provided, that no assessment under this sub-section shall in any event exceed on any lot one-half of the assessed value of such lot for municipal purposes for the current year including improvements thereon; and all other provisions of this Act shall be applicable in respect to any improvement made under this sub-section except as in this sub-section may be otherwise expressly provided.

Limit to
assessment.

Evidence
"Special
Assessment"
book is.

16. The entries in the "Special Assessment" book heretofore referred to shall be a book of original entries for any and all purposes, and a certified copy thereof, signed by the City Comptroller, shall be competent evidence in all cases.

Sale for
Assessment.

17. Wherever such proceedings are taken by said city as shall result in the sale of any lot of ground to pay any installment or installments of such levies or assessments as herein provided, the Mayor or such person as he may designate, shall have the right to bid at such sale up to the amount of all of the assessments that are outstanding against said property, and the cost of the cause, and if said property is struck off to the city, the title thereof shall be taken in the name of the City of Nashville, and the Mayor shall thereafter have the power to execute a quit-claim deed of said city to any individual who shall tender in consideration thereof the amount of such special assessments that may have been levied against such property, together with all costs, interest or charges that may have been incurred in the effort to collect such assessments.

Bought in by
Mayor.

Quit—claim
by Mayor.

City's cost
paid—how.

18. Wherever any of the improvements made under the provisions of this Section for which it is herein provided that two-thirds of the cost thereof shall be paid by the owners of abutting real property, the municipality within whose corporate limits such improvement is made shall pay the remaining cost out of any fund available or provided for that purpose, or that for the purpose of raising funds with which to pay that portion of the cost of the improvement chargeable against the municipality as herein authorized, said municipality shall have the power and authority to issue negotiable bonds, to be termed "General Improvement Bonds," as distinguished from the bonds authorized by a preceding sub-section of this section, to an amount in par

"General
Improvement
Bonds."

value not exceeding one-third of the estimated cost of any such improvement or improvements, and the cost of inter-sections, and the cost of incidentals mentioned in a preceding sub-section, which cost shall for this purpose be estimated by the legislative body in an ordinance authorizing the issuance of said bonds. Said bonds shall be payable to bearer in lawful money of the United States either at the office of the Treasurer of the municipality or at such other place in the United States as may be designated in bonds, and shall be in such form and signed by such officials as may be provided in the ordinance directing their issuance. In case any of such officials whose signatures appear on the bonds or coupons shall cease to be such officials before the delivery of such bonds to the purchasers, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until the delivery of the bonds. The bonds authorized by this sub-section shall run for a period not to exceed twenty years, at the discretion of the City Council, and shall bear interest at a rate of not to exceed six per cent (6%) per annum, as may be designated in the bond, payable semi-annually, and with coupons attached, which may bear a fac-simile signature or signatures, of the officers authorized by ordinance providing for the issuance of said bonds. Said bonds shall be of such denomination as the City Council may in the ordinance directing their issuance designate, and may be sold at public or private sale, but not for less than par and accrued interest. Said bonds shall be the absolute and general obligations of the city directing their issuance; and the City Council of said city, notwithstanding any previous or subsequent sections of this Act, shall levy annually a sufficient special tax on the assessed valuation of all the taxable property in said city to provide for the payment of that portion of improvements herein authorized chargeable against the city proper, and to provide a fund with which to pay interest on bonds authorized to be issued by this sub-section, and to provide a sinking fund for the payment of any bonds that may be issued in anticipation of the collection of such tax, which fund so provided shall not be used or appropriated to any other purpose or purposes than the payment of such portion of the cost of such improvement or bonds and the interest thereon. Bonds issued under this sub-section may be issued by the Mayor and City Council of said city by ordinance, and the provisions of Sections 31 and 34 of this Act shall not apply to bonds issued under this sub-section. After the passage of any ordinance authorizing the issuance of bonds under this sub-section, any proceeding authorizing the advertisement or sale or award of the bonds may be had by order or resolution. Any such general improvement bonds as designated in this Section

Maturity and interest.

Sale of bonds.

Special Tax.

Bonds authorized by Ordinance

Form of bonds. may be issued in substantially the following form, or in such other form as the Mayor and City Council may from time to time prescribe. Such form is as follows, to-wit:

UNITED STATES OF AMERICA.
STATE OF TENNESSEE.
CITY OF NASHVILLE.
GENERAL IMPROVEMENT BOND.

NO..... SERIES..... \$.....

The City of Nashville, a municipal corporation organized and existing under the laws of the State of Tennessee, for value received, hereby acknowledges itself indebted and promises to pay to the bearer the sum of.....Dollars, in lawful money of the United States, on the first day of..... 19....., with interest thereon at the rate of..... per cent per annum, payable semi-annually, on the first day of and of each year until this bond is payed upon presentation and surrender of the annexed coupons as they severally fall due, both principal and interest being payable at the office of the City in Nashville, Tennessee, or at the office of in, at the option of the holder. This bond is issued under and in pursuance of and in strict conformity with an Act of the General Assembly of the State of Tennessee, approved19....., being Chapter of the Acts of 19....., and other statutes and the Constitution of the State of Tennessee, and the Charter of said City of Nashville, in such cases made and provided and under and pursuant to ordinance and proceeding of said city duly adopted and had to provide means to pay not exceeding one-third of the estimated cost of certain street improvements. It is hereby certified, recited, and declared that all acts, conditions and things required to be done, exist, and be performed precedent to and in the issuance of this bond in order to make this bond a legal, valid and binding obligation of the City of Nashville, have been done, existed, and been performed, in regular and due time, form and manner, as required by law, and that the indebtedness represented by this bond together with all other indebtedness of said city, does not exceed any limit prescribed by the Constitution or Statutes of said State or the Charter of said city. The full faith and credit of the City of Nashville are hereby pledged to the prompt payment of the principal and interest of this bond as same becomes due. In witness whereof, the Mayor of the City of Nashville, and City of said city have signed this bond and attached the seal of the

city and caused the interest coupons hereto attached to be signed with the fac-simile signatures of said Mayor and said City, and this bond to be dated first day of, 19

MAYOR.
CITY.

(FORM OF COUPON.)

NO. \$
ON THE FIRST DAY OF, 19,
THE CITY OF NASHVILLE, TENN., WILL PAY TO
THE BEARER AT THE OFFICE OF CITY,
IN NASHVILLE, TENN., OR AT THE OFFICE OF
..... IN..... AT THE OPTION
OF THE HOLDER DOLLARS, BEING
SIX MONTHS INTEREST THEN DUE ON GENERAL
IMPROVEMENT BOND OF SAID CITY, DATED THE
FIRST DAY OF, 19.....
SERIES..... NO.....

MAYOR.
CITY.

19. That any failure on the part of said city to comply with any of the various sub-sections of this section, and any failure in the existence or performance of any conditions precedent to the issuance of any such general improvement bonds as hereinabove provided and authorized to be issued by the preceding sub-section of this Section, shall not affect the validity of said bonds or the levy of tax made under authority of the preceding sub-section of this section but the same shall be in all respects valid and binding.

Bonds nor
Tax affected
by Error.

SEC. 43. *Be it further enacted,* That there shall be a Police Force for said city, which shall be designated as Metropolitan Police Force. The three police officers who were heretofore transferred to the Humane Commission and are now serving as Humane Officers, are hereby declared to be regular members of the Metropolitan Police Force and are subject to the Civil Service and Pension provisions of this Act. It shall be its duty at all hours of the day and night to enforce the laws of the State, preserve the public peace, prevent and detect crime, suppress riots, to protect the rights of persons and of property, to guard the public health, to preserve order at election, to see that nuisances are removed or abated, to restrain disorderly houses, gambling houses, and houses of ill fame, to enforce the ordinances of the city, to assist, advise and protect travelers, strangers and citizens while in the city or upon the public streets, at the steamboat landings or railway stations and on public conveyances, and to arrest all persons violating the laws of the State, Federal Government or ordinances of the city; they shall have authority to make arrests with or without warrants under the pro-

Police Force.

visions of the law, but in such case of arrest without warrants, they shall within a reasonable time have warrants issued. The officers making the arrest shall at once, without delay, report the arrest and the alleged cause to his superior. The members of the Metropolitan Police Force have all the common law and statutory powers of constables, except for the service of Civil process, and every warrant for search or arrest or subpoena from the City Court or other municipal authority may be executed by any member of the Metropolitan Police Force.

Jurisdiction
Fire Department.

SEC. 44. *Be it further enacted*, That there shall be a Fire Department organized and equipped as may be provided by the proper municipal authorities, which Fire Department shall be divided into two platoons, one for the day and one for the night, each to be on service not to exceed twelve hours per day, and to alternate at least monthly on hours of duty. The standard legal work day for each member of the Fire Companies shall be twelve hours, and no member thereof shall be required to work more than twelve hours per day, except in case of emergency and in that case every member of such companies shall be subject to duty upon call.

Platoons.
Vacation.

Every member of the Fire Department, both the members of the company and other members not associated with the companies, shall be entitled to fifteen days annual vacation without deduction of pay, and the time of which vacation shall be designated by the Chief of the Fire Department.

Salaries.

SEC. 45. *Be it further enacted*, That the compensation of the members of the Police and Fire Departments shall be as follows:

POLICE DEPARTMENT

	PER ANNUM
Chief of Police	\$4000 00
Chief of Detectives.....	\$2750 00
Lieutenants	\$2400 00
Sergeants	\$1800 00
Detectives	\$1800 00
Traffic Officers	\$1620 00
Automobile Detectives.....	\$1620 00
Wharf-Master	\$1500 00
Patrolmen	\$1500 00
Operators.....	\$1500 00
Sup't Gamewell System.....	\$1600 00
Turnkeys	\$1500 00
Patrol Drivers	\$1320 00
Clerks.....	\$1500 00
Matron	\$ 960 00
Porter (to be for one).....	\$ 900 00
Porter (to be for one).....	\$ 750 00

FIRE DEPARTMENT

	PER ANNUM
Chief.....	\$4000 00
Assistant to Chief.....	\$2750 00
Captains (except Captains who act as Sec. to Chief, who shall receive \$60.00 per month extra for his services)	\$1800 00
Lieutenants.....	\$1740 00
Engineers.....	\$1740 00
Assistant Engineers.....	\$1680 00
Pipemen and Laddermen.....	\$1500 00
Supt. Fire Alarm.....	\$2400 00
Asst. Supt. Fire Alarm.....	\$1920 00
Second Asst. Supt. Fire Alarm.....	\$1740 00
Aid to Chief Fire Department....	\$1620 00

SEC. 46. *Be it further enacted*, That the Chiefs of the Police and Fire Departments, and all members of said Departments except the chauffeurs, patrol drivers, matrons and porters; and that likewise the City Tax Assessor; Water Tax Assessor; employes of the Lighting Department other than the day laborer, City Clerk and Superintendent of Sanitation, "City Health Office and the Inspectors and officers of the Health Department," "Superintendent of the Waterworks Department; the Clerk and Stenographer of the Superintendent; Draughtsman; Engineers at the City Pumping Station; Foreman of Repairs and maintenance Division; Meter Inspector; Superintendent of the Reservoirs; Supervisor of Buildings; Electrical Inspector; City Engineer, and Superintendent of Streets," shall be subject to the jurisdiction of Civil Service but may be either dismissed, suspended or reduced in rank by a judgment of the Board of Civil Service and Pensions.

Civil Service
applies to
whom

Where the number of employes under Civil Service is reduced, "The head of the department in which such employes are serving," may designate the employe or employes who are to be relieved of employment. Civil Service shall not be invoked to the impairment of efficiency and economy in administration.

(As amended by Chapt. 764, Private Acts 1921)

SEC. 47. *Be it further enacted*, That the streets, avenues, alleys, highways, and public squares of the city are public property, held in trust for public use. The school buildings, city halls, and all other buildings belonging to the city shall be used exclusively and alone for the purpose for which they are set apart by the city, and none other.

Public
Property

SEC. 48. *Be it further enacted*, That there shall be prepared by the legal department of the City of Nashville and published during the year 1922 a Digest of all the ordinances

Digest
Prepared

and Resolutions of a public nature then in force, and said digest shall be revised and republished once in every five years thereafter.

Hospital Commissioners. SEC. 49. *Be it further enacted,* That there shall be a Board to be known as the "Board of Hospital Commissioners," which shall consist of seven (7) members to be appointed by the Mayor, and who shall at the time of their appointment have been citizens of Davidson County, Tennessee, for at least five years, and four members of which shall be duly qualified, competent and licensed physicians or surgeons of Davidson County. Promptly after the passage and approval of this Act, the first members of said Board shall be appointed by the Mayor, two for a term of two years, Appointment of two for a term of four years, and three for a term of six years, Terms of Office. and until their successors are appointed and qualified, the respective terms of each of said members shall be designated by the Mayor at the time he is appointed. The date of the appointment of the first Board shall be the date from which the terms of the members shall be computed. In the event of a vacancy, the Mayor shall appoint some one to fill the vacancy for the unexpired term. Before entering upon the performance of their duties, each member of the said Board shall take and subscribe to an oath that he will support the Oath. Constitutions of the United States and of the State of Tennessee, and will faithfully strive to obey and carry into effect the duties imposed upon him by the law. Each member of said Board shall likewise execute a bond in the sum of Five thousand Dollars, to be approved by the Mayor, payable to said city and conditioned that he will faithfully perform the duties imposed upon him by law; he shall receive no Compensation. for any services whatsoever performed by him as such Commissioner. Said Board shall organize by electing a Chairman and Secretary, who shall hold their offices Organization. for such time as said Board by resolution may prescribe. Four members of said Board shall constitute a quorum for the transaction of business, and it shall hold its meetings at the City Hospital at least once each week at a time to be fixed by it, and it may be called to meet at other times by the Chairman upon notice of such special meeting given to each member. Said Board shall have direct charge over Duties. the City Hospital and any other hospitals that may be owned or operated by the city. It shall be the duty of the Board, and it is given power, to make all rules and regulations for the organization of said Board and for the administration and control of such hospital as may be under its jurisdiction. Said Board shall immediately elect the Hospital Administrator Hospital Administrator for each hospital, and shall fix his compensation. The Hospital Administrator may be either a medical or non-medical man, as the Board may determine, and he shall

hold office during the pleasure of the Board. He shall be in charge of the Hospital to which he is assigned, subject to the direction and control of the Board and under such rules and regulations as it may from time to time fix. The Board or the Hospital Administrator, in the event the Board by written resolution delegates to him the authority shall have power to employ or appoint such medical attendants, including physicians, surgeons, nurses, internes, and other necessary hospital and medical employees as to said Board or Hospital administrator may be deemed necessary for the economical and proper conduct of said Hospital. But the compensation for all such medical employees shall be fixed and prescribed by said Board, in the event it shall determine to provide compensation for such medical employees, all non-medical employees shall be employed by the Hospital Administrator, subject to the approval of the Board, but their compensation shall be fixed by the Board. The Board is authorized under such rules as it may fix, to afford clinical privileges at said hospital to the students of any medical school of the city, members of the medical faculty of which are members of the hospital staff, as provided. It is hereby made the duty of the Board to provide for a hospital staff of competent and licensed physicians and surgeons of Davidson County, Tennessee. The number of members of which and their terms of service and duties shall be prescribed by rules promulgated and established by said Board.

But it shall be the duty of said Board to give representation on said hospital staff to physicians and surgeons other than those who are members of the teaching faculties of any medical school of the city which has clinical privileges for its students at said hospital, the number of such staff members and their terms of service to be fixed by resolution of the Board. However, the Board shall give as nearly equally bona-fide representation on said staff to members who are not teachers of any medical school as may be consistent with the proper administration of said hospital. It shall be the duty of the hospital administrator to make written reports to said Board as said Board may require. It shall be the duty of said Board to make monthly detailed reports, including the expenses of the hospital, to the Mayor of said city, and for failure to do so the members of said Board may be removed from office by the Mayor. All money collected from patients at the hospital, or clinical fees which may be provided for by said Board, and all other revenues derived from the operation of the hospital shall be paid to the City Treasurer, who shall keep such fund separate from the other revenues of the city and to the credit of the Hospital Department. Said money so collected shall be used for the maintenance of the hospital in addition to the amount set aside in the yearly budget for hospital purposes. The City

Medical
Attendants.

Clinical
privileges.

Hospital
staff

Reports

Revenues from
Hospital.

Hospital Tax. Council is hereby authorized to include in the annual levy of taxes a special hospital tax of one-third of one mill on each dollar's worth of property assessed for City Taxation, and the money thus levied shall constitute a special fund with which to operate the affairs of the hospital, as provided by this Act. The City Council shall have the power to include in the yearly budget money over and above that realized from the special tax here authorized, and to appropriate such surplus money for the conduct of such hospital. The Board shall have exclusive authority to make all expenditures out of the money thus appropriated, and such expenditures shall be made upon vouchers signed by the Chairman of the Board, which shall be paid by the City Treasurer, and charged to the hospital department; however, the Board, if it so elects, is authorized by resolution to empower the hospital administrator to make such expenditure for the hospital not to exceed the sum of One Hundred and Fifty Dollars, and a detailed account of such expenditure, if made, shall be furnished by him to said Board, at its regular weekly meeting. If any expenditures shall in the aggregate amount to Five Hundred Dollars, or more, before making such expenditure the Board must obtain the consent of the City Council by a resolution, and any expenditure in excess of Five Hundred Dollars, or any liability or contract for expenditure, unless made as herein provided, shall be illegal, is prohibited, and is not binding upon the Board; and if any such sum in excess of Five Hundred Dollars has been expended by said Board thus illegally, the same may be recovered from the person receiving it by an action instituted by the city, or if the same cannot be recovered from the person receiving it, then the members of the Board assenting to such expenditure shall be liable on their official bonds to the City.

Budget.

Expenditures.

\$150.00 or under.

\$500.00 or more.

Board of Education. SEC. 50. *Be it further enacted*, That there shall be a Board of Education composed of nine members who shall have been bona-fide residents of the territory embraced within the corporate limits of said city, at least five years immediately preceding their election, and who shall not be less than thirty years of age, and who shall serve without compensation. The members of the Board of Education now serving in such capacity shall continue to serve as follows: The term of those three (3) who have already served the longest shall expire December 31st, 1921; the term of the three (3) who have served the next longest time on this Board shall expire December 31st, 1922; and the term of the three (3) members of this Board having served the shortest time shall expire December 1st, 1923; and thereafter the members of the Board shall hold office for three (3) years from the date of their appointment or until their successors are appointed and qualified; and

Term of Office.

before entering on the duties of his office, each member of said Board shall take and subscribe to the following oath: "I do solemnly swear that I will support the Constitutions of the United States and of Tennessee, and that I will faithfully and impartially discharge the duties of this office, and that the only considerations that shall influence me in the selection of teachers and other employes of the Department shall be their fitness for the position and the welfare of the city; and I am in favor of the public school system."

Oath.

The members of the Board of Education shall be appointed by the Mayor and he shall fill all vacancies for the unexpired term. The Board of Education shall select from its number a Chairman, who shall preside at all meetings of said Board, and five (5) members of said Board shall constitute a quorum for the transaction of all business. The Board of Education of said city is hereby authorized and empowered to adopt rules and regulations for the government of the public schools of said city, including plans of instruction and organization, the power to employ all persons necessary for the proper conduct of the public schools, such persons need not be residents of the City of Nashville, and to fix their salaries and compensation, but between limits to be prescribed by ordinance duly enacted by the City Council of the said city, to provide group insurance on its employes not exceeding \$250 00 on each person insured, and to make all expenditures within their budget that shall cost less than Five Hundred (\$500) Dollars for any single expenditure but in all cases where the estimated cost of any single expenditure, except salaries, exceeds Five Hundred (\$500) Dollars it shall transmit to the City Council of said City, with its recommendations, an ordinance to authorize such expenditures, with an estimate of the cost; provided, however, that all rules and regulations adopted and promulgated by said Board of Education for the government and control of the public schools of said city shall, before becoming effective, be submitted to the City Council and approved by them, and no alteration or change shall be made in such rules and regulations after approval by the City Council, unless the consent of that body is first had and obtained.

Appointed by Mayor.

Organization of Board.

Insurance on Employees.

The share of the State and County School fund to which the citizens of said city are entitled shall be paid over by the County Trustee into the City Treasury, to be used for the public school system of said city and for no other purpose. That it shall be the duty of the Board of Education of the City of Nashville to install and establish for the public schools of said City of Nashville a system whereby text books for the use of all pupils in said public schools of such city shall be provided for by the City Board of Education and shall be furnished free of charge to all of the pupils attending the public schools of said city.

School Fund.

Free Text Books.

Physical Examination	<p>The Board of Education shall require of all teachers in its employ to present a certificate from the proper City Health Officer to the effect that such teacher is not afflicted with any contagious diseases, and is otherwise physically able to discharge the duties required; such certificate to be presented once during each scholastic year, at such time as the Board of Education shall determine. That the Board of Education</p>
Pension Provisions.	<p>is made and designated for the pension purposes herein enacted "The Board of Public School Pension Commissioners." That the following employes of the Board of Education of such City shall be entitled to a pension under this Act, to wit:</p>
	<p>(1) Such employes of the said Board of Education as shall have served in the Nashville Public Schools for a period of forty (40) years, and who shall be sixty-five (65) years of age, and who shall have complied with the rules, ordinances and regulations governing the public school system of said city.</p>
	<p>(2) That the said Board is hereby vested with the power and authority to pension any of its said employes who shall have served in the Nashville Public Schools for a period of twenty-five (25) years, and in the judgment and discretion of the said Board of Commissioners may no longer be able to efficiently discharge the duties of his or her position.</p>
Rules and Regulations.	<p>(3) That subject to the approval and ratification of the City Council, said Board is hereby vested with power and authority to make all the necessary rules and regulations for the purposes of carrying out the provisions of this Act and to accomplish the object and purpose thereof. The</p>
Amount of pensions.	<p>amount of pensions to be paid to any person entitled thereto under this Act shall be an amount equal to the pay of a beginning teacher; that is to say, an amount which is equal to the lowest amount paid to any regularly employed teacher, whether cadet teacher, or teacher in training or any other class doing the lowest paid work in teaching as set out in the scale of salaries then in effect. Provided, however, that such pension of any person at the time of being placed upon the pension list shall not exceed one-half of the salary drawn as regular employee at the time of retirement; and further provided, that all such pensions shall vary proportionate amount from time to time as there may be a variance of pay to the beginning teacher as above defined and such pension shall cease at the time of the death of the employee to whom it was awarded; and provided, further, that the total amount expended for pensions under this Act shall not in any one</p>
Limit on Amount expended	<p>(1) year be an amount in excess of the equivalent of one-tenth (1-10) of one (1) mill on the basis of the taxes assessed by said city for the proceeding year. For the purpose of carrying out the provisions of this section, the City Council shall include in the regular annual tax levy a special tax</p>
Special tax for pension.	

over and above all other taxes authorized by law not exceeding one-tenth of one mill, which tax when levied and collected shall be placed to the credit of a fund to be designated "Public School Teachers Pension Fund," and which fund shall be used solely for paying the pensions and group insurance as herein authorized.

SEC. 51. *Be it further enacted*, That there shall be a Humane Commission, composed of five members, who shall have been bona-fide residents of said city at least three years prior to their election and qualification, and who shall serve without compensation, such members shall be at least thirty years of age. *The term of their office shall be confirmed at one time, and three at another.* Of the members of the first Board under this Act, the Mayor shall designate two to serve for two years and three to serve for four years from November 1, 1921.

The Humane Commission shall choose a Chairman and Secretary and have power to make rules and regulations for its government, subject to approval by the City Council. It shall be the duty of said Board to execute all laws and ordinances for the purpose of prohibiting and restraining cruelty and inhuman treatment of children and of animals; said Humane Commission shall have power to employ such number of persons as it may deem necessary for the enforcement of ordinances, laws and measures within its jurisdiction; such Humane Officers shall be vested with police powers. Said Humane Commission shall have power to fix the compensation of its employes, subject to approval by the Mayor. All money derived from fines assessed on convictions for violation of ordinances, by-laws and measures for the preventing of cruelty and inhuman treatment to children and animals shall be carried into the City Treasury, and paid to the Humane Commission, and need not be appropriated in the annual budget.

The title of all property acquired by said Humane Commission in any way shall vest in the City of Nashville; but it shall remain under the control of said Board. The City Council may provide by a tax levy for the meeting of the financial needs of said Board, and raising revenue for such purpose is hereby declared to be an extraordinary purpose within the meaning of this Act, when such levy is expressly designated to be made for the purpose of said Humane Commission.

No money shall be drawn from the fund herein provided for the Humane Commission except on voucher drawn on said fund and signed by the Chairman of said Board and the Secretary thereof; all expenditures exceeding Five Hundred Dollars shall only be made upon approval by resolution of the City Council.

Humane
Commission
Five
members.

Term of Office.

Organization

Duties

Employees.

Fines

Title to
Property

Tax Levy

Expenditures.

Reports.

It shall be the duty of the Humane Commission to make quarterly reports to the Mayor, which shall contain a detailed full account of all its Acts and doings, with its recommendations for the enactment of such further provisions as will further advance the purposes for which the Humane Commission is created. The five members comprising the Humane Commission at the time this Act becomes effective shall compose the first Board of Humane Commissioners, and they shall hold said office until Nov. 1st, 1921, or until their successors are elected and qualified.

SEC. 52. *Be it further enacted, That:*

Park
Commis-
sioners.

(1) There shall be a Board of Park Commissioners of the City of Nashville, composed of five members who shall have been bona-fide residents and citizens of the territory embraced in said city for at least three years prior thereto, and their term of office shall be five years from the first day of May of the year in which they are severally elected, or until their successors are elected and qualified; and upon a vacancy occurring, it shall be filled by the remaining members of said Board, subject to the approval of the City Council of said city; provided, that the persons who constitute the present Board of Park Commissioners are hereby made the first Board of Park Commissioners under this Act, and they shall severally hold for the terms for which they were elected. Any vacancy during a term shall be filled only for the unexpired term.

Compensation.

(2) The members of said Board shall devote such time and attention to the duties of their office as the efficient performance thereof may demand and require, and their service shall be without compensation. Each member appointed to serve upon said Board, before proceeding upon the duties of his office, shall qualify by taking and subscribing the following oath: "I do solemnly swear that I will support the Constitutions of the United States and of the State of Tennessee, and will faithfully and impartially perform the duties of this office, so help me God."

Oath.

Organization.

(3) The members of said Board may immediately upon their appointment and qualification organize, by electing one of their members as Chairman, and by the election of a Secretary who need not, however, be a member of the Board. The term of Chairman and Secretary shall be one year each; but they may be re-elected any number of successive terms. The salary of the Secretary shall be fixed by said Board, and his duties prescribed by it.

Secretary.

Property
Acquired.

(4) Whenever in the opinion of said Board, property within or near said city may be acquired by it by purchase or by condemnation, as provided under Section (8) of this Act, it shall be authorized to establish parks in such localities as it may deem for the best interests of the city. The

title to all property acquired for park purposes in any manner shall vest in the City of Nashville. The title to property acquired by said Board, where there are deferred unpaid payments shall remain in the name of the Chairman of the Board of Park Commissioners, as trustee, until the same is fully paid for, in which event it shall be vested in the City of Nashville; the general credit of the City of Nashville, and the City of Nashville shall in no wise be responsible for any portion of the purchase money agreed to be paid therefor, except as it may by ordinance agree and provide when enacted by the City Council.

The Board of Park Commissioners shall have full power to purchase any land deemed by them suitable for Park purposes, and take fee simple title thereto, and to execute notes or bonds therefor, with interest, payable as may be provided, maturing at such times as may be agreed upon, signed by the Chairman and Secretary of said Board and to secure the purchase money for the same to execute mortgage or vendor's lien upon the property purchased, and may sell any portion thereof not needed for Park purposes and pass the fee simple title thereto, by the direction and authority of the majority of the Board of Park Commissioners; it may apply the proceeds of the sale of any property to the payment of any mortgage or vendor's lien or other indebtedness.

(5) Said Board of Park Commissioners shall have the care, management and custody of all parks and grounds used for park purposes, and all such property as may hereafter be acquired for park purposes by said Board of Park Commissioners. The City Board of Park Commissioners shall have the power to receive gifts, donations or devises of lands, or may accept other property for Park purposes; to lay out and improve walks, drives, roads, tree planting, and other improvements to parks, to construct ornamental buildings and other buildings necessary for same, and enter into all contracts to provide and maintain the same; to provide and maintain art exhibits and to promote the interest of the fine arts in the City of Nashville; to protect all property and improvements belonging to or pertaining to parks or under its management or control; to adopt rules, ordinances and regulations for the proper and reasonable use thereof, and to preserve the properties thereof from injury or otherwise; to prevent disorder and improper conduct within the precincts of the parks, and provide punishment therefor or for the infraction of the rules of the park Board; the police power of the city is extended over the parks, both within and adjacent to the city, and all violations of such rules and regulations may be enforced by the Metropolitan Police Force, and all violations of the ordinances and regulations of the Board of Park Commissioners may be punished as all

Title
taken--how.

Care and
Custody of
Property.

Gifts and
Donations.

Improvements

Art Exhibits

Rules and
Ordinances to
govern.

- City Court other misdemeanors and offenses against the city, by the Judge of the City Court; that such violation may be punished by a fine of not more than Fifty Dollars, and in default of the payment of the same, confinement in the City Work-house, but in no instance exceeding three months for any one offense. The Board of Park Commissioners shall have power and authority to appoint and maintain a park police for the maintainance of order in and the preservation of park property and who shall have power to make arrest for misdemeanors committed within any park and for the violation of park rules and regulations.
- Park Police
- Employees (6) The Board of Park Commissioners shall have exclusive power to employ and pay such superintendents, employes and other persons as it may deem necessary for maintaining, improving and controlling said parks, and shall have authority to make any other expenditure for park purposes within its funds, and its powers as herein defined; the Board of Park Commissioners may appoint a Commission or sub-board, without pay, composed of three members, who shall have charge of the Art exhibits and Art interests of said city, and that said Board shall be appointed by the Board of Park Commissioners for such term or terms as the Park Board may provide.
- Art Commission.
- Budget The Board of Park Commissioners shall each year, prior to the making of the annual levy of taxes by the Mayor and City Council, prepare and submit to the Mayor an estimate of the amount of money which shall be required for the purchase, maintenance and improvement of park property for the succeeding year beginning January 1st, which estimated budget shall set forth the items of expense as accurately as possible. This budget shall not be included in the annual municipal budget, however, it shall be the duty of the City Council of said City, in its annual levy of taxes, to make such special levy for park purposes separate and distinct from its levy for ordinary municipal purposes, at a tax rate of not less than ten cents on the one hundred dollars of the value for assessment within said city, as shall be necessary, to meet the expenditures contemplated in said estimate of the Board of Park Commissioners; the amount so levied shall be collected and carried to the credit of the Board of Park Commissioners, and shall not be diverted therefrom, and the same shall remain a separate and distinct park fund in the hands of the City Treasurer. All expenditures on account of this fund shall be made upon vouchers and approved by the Park Commissioners, through its Chairman and Secretary, which vouchers shall, when accompanied by detailed statements of such expenditures, be payable on presentation to the revenue office of said city. All funds arising from any source shall be devoted to or used for the purchase, maintenance and betterment of public
- Special Levy.
- Expenditures.

parks under or controlled by said city shall be paid from time to time to the City Treasurer and a separate account kept thereof, and said Board shall from time to time be authorized to draw upon said funds which shall be paid therefrom as long as there is a balance to the credit of said account of Public Parks.

(7) The Board of Park Commissioners shall keep accurate records, books and accounts, and shall make a report to the Mayor of said city during the month of December of each year, showing the amounts received, from what sources, how expended, with such explanations and recommendations as may be deemed to be to the best interest of the public parks. Such books shall be open to inspection and examination by any accountant or auditor of the City of Nashville.

Records, books
and reports.

(8) The term "park property" as used in this Act, shall include all parks and areas of land within the management of said Board of Park Commissioners, and all buildings, structures and improvements, thereon of every kind and character whatever.

"Park
Property."

SEC. 53. *Be it further enacted*, That:

(1) The City of Nashville is hereby granted the power to foster and provide transportation facilities for itself and its people by building, acquiring, holding, owning, leasing, or selling any railroad, railroads, or transportation facilities, or by acquiring, owning or selling the entire issue of any first mortgage or prior lien bonds on any railroad.

Transportation
facilities.

(2) That (1) A. E. Potter; (2) Humphrey A. Hardison; (3) M. E. Derryberry; (4) Percy Warner; (5) William Nelson; (6) Chas. S. Martin; (7) T. F. Bonn.r; (8) B. E. McCarthy; (9) Joe Frank; (10) W. Louis Davis; (11) R. M. Dudley; (12) A. B. Ransom; (13) Johnson Bransford; (14) C. A. Craig; (15) Paul Roberts; (16) Brown Buford; (17) Vance Alexander; (18) David Hanley; (19) Arthur J. Dyer; (20) M. T. Bryan; (21) J. P. Harvill, citizens and residents of Davidson County, Tennessee, are hereby designated and constituted as a Board or agency of said City of Nashville to be called "The Board of Transportation Trustees for Nashville."

Board of
Transporta-
tion
Trustees.

(3) That no person shall be eligible to membership on said Board of Transportation Trustees for Nashville who is an officer, director, employee or agent of any operating transportation company or any operating subsidiary of any such operating company, nor shall any office holder receiving compensation in the municipality of Nashville, or Davidson County or State of Tennessee, nor any applicant or candidate for such office, be eligible to membership in said Board.

Qualifications

(4) That said Board of Transportation Trustees for Nashville shall in the first instance have exclusive charge and supervision for said city of fostering, maintaining, acquir-

Powers of
Board.

ing, owning, leasing, or selling any railroad or railroads or other transportation facilities and of acquiring the entire issue of any first mortgage or prior lien bonds on any railroad or railroads now serving Nashville, and shall in the first instance perform all acts, conduct all negotiations and make all tentative agreements and contracts which said Board may deem necessary or proper to enable said city to foster and provide transportation facilities for itself and its people, provided, such facilities relate to extra or interstate transportation by river or by rail.

Recommendations to City Council.

(5) That whenever said Board of Transportation Trustees for Nashville shall have taken any action authorized by this Act, it shall make recommendations to the City Council of said city, transmitting them to and placing them before said City Council, and recommend the passage of such municipal ordinance as will, if enacted by the City Council, finally provide for carrying out and effectuating the actions and recommendations of said Board of Transportation Trustees for Nashville, and when any such ordinance shall have been regularly passed and enacted by the City Council for said city, its terms and provisions shall be and become finally operative and binding upon said city, and none of the actions, negotiations, contracts or agreements proposed or recommended by said Board of Transportation Trustees for Nashville shall be binding upon the city of Nashville until the same are so ratified and approved by an ordinance passed and enacted by the City Council of said City.

Acts ratified by Ordinance.

Failure of Council to ratify.

(6) That in the event the City Council of said City refuse and decline to ratify and approve any recommendation of said Board of Transportation Trustees for Nashville, or refuse and decline to pass any ordinance proposed and recommended by it, then no further action shall be taken by the City Council with reference to the Matters contained in such recommendation or ordinance proposed by said Board of Transportation Trustees for Nashville, unless and until the latter Board itself takes further action or makes further affirmative recommendations to the City Council; provided, that the failure or refusal of the City Council to act favorably upon any recommendation or ordinance made or proposed by said Board of Transportation Trustees for Nashville shall not interfere with the right and power of the latter Board, from time to time, thereafter, to bring forward the same recommendation and propose the same ordinance, or any alterations or modifications thereof, and place the same before the City Council of said city for acceptance or rejection.

Board may re-recommend.

Recommendations Approved.

(7) That in the event the City Council of said City shall ratify and approve any recommendation of said Board of Transportation Trustees for Nashville, and in conformity therewith shall have regularly passed an ordinance to that

effect, then said Board of Transportation Trustees for Nashville shall have exclusive charge thereafter in carrying into effect such recommendations so indorsed by The City Council of said city, and shall have all authority and power necessary to make all contracts incident thereto, and said Board of Transportation Trustees for Nashville shall make monthly reports of all moneys expended by them in consequence thereof, and said report shall be published in a newspaper in the City of Nashville.

(8) That said Board of Transportation Trustees for Nashville, shall elect one of its members as its president, and shall elect a secretary who is not a member of said Board; and any vacancies upon said Board arising from any cause shall be filled by a majority of the remaining members thereof. Said Board shall have regular meetings at least monthly, and oftener in the discretion of said Board upon the call of the president of any five members thereof; and such regular or called meetings shall be held at such times and places and subject to such conditions and restrictions as the Board may determine. The members of said Board of Transportation Trustees for Nashville shall receive no compensation for their services, but the actual expenses incurred by said Board in performance of its duties shall be paid by the City of Nashville out of its general funds upon vouchers accompanied by an itemized bill of expenses, approved and signed by the president and secretary of said Board of Transportation Trustees for Nashville.

(9) That if any person herein named as a member of the Board of Transportation Trustees for Nashville shall decline to serve thereon, or if it shall be ascertained that any such person is connected with an operating transportation company as recited in sub-section 4, of this section as applicable to the members of said Board, or if any such person shall decline to take the oath hereinafter required to be taken by all members serving upon said Board, then the position of each such person on said Board shall become thereby vacated, and such vacancy or vacancies shall be filled as herein provided for the filling of vacancies.

If any member of said Board of Transportation Trustees for Nashville hereafter ceases at any time to have and possess the qualifications set out in Section 4 of this Act as applicable to members of said Board, then the position of such member shall be thereby automatically vacated, and the vacancy so resulting shall be filled as hereinbefore provided by the remaining members of said Board, who shall proceed to elect to such vacancy only such person as shall possess the qualifications. All other vacancies in said Board shall be filled by a vote of the Board itself at any regular meeting or at any special meeting called for that purpose.

Oath. (10) That none of the persons named in this Act, nor any other person hereafter elected as a member of said Board of Transportation Trustees for Nashville shall become qualified to serve thereon until each such person shall take and subscribe, before an officer qualified to administer oaths in said city, the following oath: "I solemnly swear before Almighty God that I am a citizen of Davidson County, Tennessee, and I am not an officer, director, employee, or agent of any railroad or river operating transportation company, or any subsidiary operating company of any such company serving the City of Nashville or its inhabitants; and I am not an office holder receiving compensation in the municipality of Nashville or Davidson County or State of Tennessee, nor an applicant or candidate for such office, and I further promise that I will promptly report to this Board if I ever cease to possess any of the above qualifications; I further solemnly swear that I am friendly and favorable to the purpose for which this Board was created, and that I will faithfully perform all of the duties imposed upon me by law as a member of the Board of Transportation Trustees for Nashville."

Filed where. All oaths of members of said Board, when taken and subscribed, shall be filed with and preserved by the Secretary of said Board of Transportation Trustees for Nashville, and shall be open to inspection and examination by any citizen at any reasonable time.

Quorum. (11) That a majority of the members of said Board of Transportation Trustees for Nashville shall constitute a quorum thereof, but at any regular or called meeting it shall require a majority of the entire Board of twenty-one members to consummate any action of said Board. The Secretary of said Board shall keep all records thereof, and shall keep a minute book which shall correctly set forth the action of said Board upon all questions coming before it, all official records and documents of said Board, including copies of the minutes of said Board, or ordinances proposed by it, when placed before the City Council of said city by said Board of Transportation Trustees for Nashville for the action of the City Council, or offered in evidence elsewhere, shall be sufficiently verified if certified in writing as correct by the president and secretary of said Board of Transportation Trustees for Nashville.

Evidence. (12) That all Acts, obligations, powers, authority and trusts performed under, imposed upon, or vested in the City of Nashville and its officers under and by virtue of Chapter 494 of the Private Acts of 1917 are vested in and recognized by the City of Nashville and the appropriate officers thereof.

SEC. 53a.

Bonds for raising revenues for transportation. 1. That for the purpose of enabling the City of Nashville to foster and provide transportation facilities for itself and

its people, the City of Nashville be, and it is hereby authorized to borrow money and issue its bonds therefor, in the aggregate of Five Million Dollars (\$5,000,000) bearing interest at not more than five per cent per annum, payable semi-annually, and both principal and interest to be payable at such place, or places, in Nashville or elsewhere, as may be designated by the Board of Commissioners of said city by ordinance. And such bonds shall mature in such annual installments, not more than thirty (30) years from their date, and shall be in such form and amount, registered or coupon, and shall be sold in such manner and for such prices as the Board of Commissioners of said city by ordinance may determine, but in no event shall any of said bonds be sold for less than par, except by a vote of at least four (4) members of said Board of Commissioners, and then at a price not less than \$97.00 for each \$100.00 of said bonds; and the proceeds of said bonds shall be paid into the treasury of the city, for the purposes above declared; provided, that no money borrowed and no bonds sold under and pursuance of the provisions of this Act shall be used in violation of Section 29 of Article II of the Constitution of the State of Tennessee.

2. *Be it further enacted,* That the Board of Commissioners of the City of Nashville are authorized upon recommendation of the Board of Transportation Trustees for the City of Nashville and are hereby required to call an election, or elections at which the proposition to issue said bonds, or any part of same authorized by this Act shall be submitted to the qualified voters of said city. At any election called for this purpose those voters desiring the issuance of said bonds shall vote in said election "For Transportation Facilities Bonds," and those opposing the issuance of said bonds shall vote "Against Transportation Facilities Bonds." Such election or elections shall be held in conformity with the laws controlling elections in said City of Nashville. Should a majority of the qualified voters voting upon said proposition in such election or elections vote "For Transportation Facilities Bonds," then said bonds shall be issued as herein provided in this Act. Should a majority of the qualified voters voting upon said proposition in such election or elections vote "Against Transportation Facilities Bonds," other elections, if recommended by the Board of Transportation Trustees for Nashville, and approved by the Board of Commissioners of the City of Nashville may be held at any time after the expiration of thirty days to determine whether such bonds in whole or in part shall be issued.

3. *Be it further enacted,* That the bonds authorized to be issued hereunder shall be issued and used by said city from time to time, in such amounts within the aggregate amount authorized hereby upon recommendation of the Board of

Referendum.

Bonds—
obligations of
City.

Transportation Trustees for Nashville as the Board of Commissioners of said city shall by ordinance determine; and all such ordinances providing for the issue of any bonds herein authorized shall be valid when passed by the Board of Commissioners of said city in accordance with the provisions of Sections 26 and 27 of the charter of said city which shall apply to the bonds issued hereunder. Such bonds shall be the absolute, direct and general obligations of the City of Nashville; and all bonds issued and disposed of under the provisions of this Act shall be used exclusively for the purposes hereinbefore recited; *provided*, the purchasers of said bonds shall not be operated with any duty or responsibility of seeing that the proceeds thereof are so applied.

Mortgage to
secure.

4. *Be it further enacted*, That the City of Nashville is hereby authorized and empowered to mortgage and pledge all facilities of transportation acquired under the provisions of this Act, to secure the payment of any money borrowed and any bonds issued hereunder which has been used in acquiring such facilities.

Tax levy.

5. *Be it further enacted*, That further to secure the payment of the principal and interest of any bonds issued and disposed of by said city under the provisions of this Act, said city be as hereby authorized and directed to make a special tax levy to be included in its annual tax levy, over and above all taxes authorized by law, which will be sufficient to pay the interest, and ultimately provide for the payment of the principal of said bonds by the time the same shall mature; and the principal and interest of any such bonds falling due before the proceeds of any tax levy becomes available, shall be paid from the ordinary funds of said city; and in each year during the life of any bonds issued hereunder the Board of Commissioners of said city shall include in the annual tax levy, over and above all other taxes authorized by law, a sum sufficient to provide a fund for the ultimate payment of said bonds, by the time the same shall mature, together with any interest thereon falling due in the ensuing years, and also a sum sufficient to reimburse the ordinary fund for appropriations made or to be made therefrom for the payment of any such interest or principal.

Registered.

6. *Be it further enacted*, That said Board of Commissioners may in its discretion provide that the holders or owners of any of said bonds may register the same as to principal alone, or as to both principal and interest, in the name of such owner or holder on the books of the city, in the office of the City Treasurer or in any bank or trust company in the City of New York which may be designated for such purpose by said Board under such regulations as said Board may establish.

Proceeds used
—how.

7. *Be it further enacted*, That the proceeds of any bonds issued under this Act shall be used exclusively for the purposes

hereinbefore expressed, and shall only be applied to such purposes, in the way and manner, and by the agencies provided, and specified in another Act of this present General Assembly passed for that purpose and entitled:

"An Act to amend an Act entitled, 'A Bill to be entitled an Act to create a municipal corporation, to be known as the City of Nashville, and to define its rights, powers, duties, and obligations, and to repeal all laws and parts of laws in conflict with this Act,' being Chapter 22 Private Acts of Tennessee 1913, so as to authorize and enable said City of Nashville to foster and provide transportation facilities for itself and its people, by building, acquiring, holding, owning, leasing or selling any railroad or railroads or other transportation facilities, and by acquiring, owning, or selling, the entire issue of first mortgage or prior lien bonds on any railroad; and to create a Board or Agency of said City of Nashville to be called 'The Transportation Trustees of the City of Nashville,' and to define its powers and duties."

Ch. 494 Private Acts 1917.

SEC. 54. *Be it further enacted*, That the City Council shall have power to make a special levy, not exceeding one-fifth of one mill on each dollar of the value of the taxable property of said city, to provide for a fund for pensions for the pensioners of the police and fire departments; that the following members of the police and fire departments of the City of Nashville who have been regularly appointed as such, and none other, shall be entitled to a pension as follows:

Pensions for
Firemen and
Policemen.

(1) Such members of the police and fire departments who shall have served for a continuous period of twenty-five years as regular members thereof, and shall have attained the age of sixty-five years, and shall have complied with the rules, ordinances and regulations governing the Police and Fire Departments, and the pension provisions.

Who entitled
to pension
Service and age.

(2) Such members of the Police and Fire Departments who shall have served for a continuous period of twenty-five years as regular members thereof, and shall have complied with the rules, ordinances and regulations governing the Police and Fire Departments, and the pension provisions and shall not, in the judgment and discretion of said Board, be longer able to efficiently discharge the duties of their positions by reason of physical defects or infirmities, mental or physical.

Service and
Disability

(3) That any regular member of the Police and Fire Departments who, while working within the scope of his employment and while in the actual active discharge of duty, shall sustain personal injury whereby he is permanently crippled or disabled so as to be incapacitated to efficiently discharge the duties of his position, regardless

Disability by
injury.

Amount.

of the length of time he has been employed as a regular member of such department previous to his sustaining such injury, may be pensioned in an amount to be determined by said Board; but in no such case shall the amount awarded exceed one-half of the salary or compensation such member was receiving from the city at the time he sustained such personal injury by accident arising out of and in the course of employment, and shall not include a disease in any form, except as shall naturally result from the injury. No pension shall be allowed to a member where the personal injury is due to the member's willful misconduct, intoxication, disobedience of orders, or where it is intentionally self-inflicted. Said Board shall have the right, in case of any claim for pensions, to have the claimant examined by any competent surgeon or surgeons the Board may select. The action and determination of said Board shall be final on all questions of fact, and shall not be subject to review in any other form except for illegality or want of jurisdiction. Said Board shall have power, if for any reason it believes that the pensioner is not permanently crippled or disabled, after it has made its award, or that he has recovered from the personal injury, and is authorized to make further investigations, and to have the pensioner examined by a surgeon appointed by it, and if in the opinion of said Board, upon such further investigations, the pensioner is not permanently crippled or disabled, or has recovered from his injury, the Board shall order that the said pensioner shall be dropped from the pension rolls, and all payments of pension shall cease from the date of such order. Such investigation shall be after written notice, and served at least five days prior to the investigation and hearing, upon the petitioner.

Re—examination of pensioner.

("Section 1.—Be it enacted, by the General Assembly of the State of Tennessee: That paragraph 3 of Section 54 of Chapter 193, of the Private Acts of the General Assembly of Tennessee, for the year 1921, same being An Act entitled An Act to create a municipal corporation to be known as the "City of Nashville," and to define its rights, powers, duties and obligations, and to repeal all laws or parts of laws in conflict therewith, be and the same hereby is amended by the addition, at the end of the first sub-paragraph of said paragraph 3, of Section 54 aforesaid, of the following words, to wit; and likewise any person, formerly a regular member or substitute member of such Police or Fire Department, who, while working or acting within the scope of his employment and while in the actual active discharge of duty, shall have sustained personal injury, by accident, occurring prior to the passage and effect of Chapter 253 of the Private Acts of 1913, whereby he is permanently crippled or disabled so as to be incapacitated to efficiently discharge the duties of his position, regardless of his length of service in such

Department prior to such injury, may be pensioned by said Board, provided such person shall first contribute to the Police and Fire Pension Fund as provided for in said Section 54 of Chapter 193, Acts of 1921, in an amount equal to the sum such person would have contributed to said fund under said Section 54 from Oct. 14, 1913, said date being the effective date of the original Pension Act, up to the passage of this Act based on the salary of a regular patrolman or fireman of the line; provided further that the pension of any such person shall be based on the salary of a regular patrolman or fireman of the line at the time of the passage of this Act, unless such person was an officer drawing a larger salary at the time of such injury, in which event he will be pensioned on the basis of the salary of such officer at the time of the passage of this Act.") (Chapter 680 Private Acts of 1921).

The action of the Board in reinvestigating the case of any pensioner, or in ordering any such pensioner dropped from the roll, shall not be subject to review. The payment of all pensions shall end at and upon the death of the pensioner. All pensions granted under this Section shall be within the discretion and judgment of the Board of Civil Service and Pensions. Said Board shall have full power and authority to determine and fix the amount of pensions in any case arising under this Section, where the annual salary of the pensioner at the time he is placed on the pension roll of \$1500.00 or more, provided, that in no case shall a pension be allowed exceeding the amount of the salary of such member at the time he was placed on the pension roll. Each and every regular member of the Police and Fire Departments of the City of Nashville shall pay into the treasury of the City, to the credit of the Pension Fund, monthly, on or before the first Monday of each month, one per cent of his next monthly salary, and a refusal to comply with this provision shall be a cause for discharge from the department, after five (5) days' written notice of the failure to pay as above provided. The Pension Fund and the pension provisions provided are intended to promote the efficiency of the Police and Fire Departments, and are not any form of insurance, and no rights or claims to refund or accounting shall inure to any members of said departments for any payments into the treasury of the City to the credit of the Pension Fund, in the event of the death, resignation, pensioning, or discharge of any such members. All revenue raised on account of the Pension Fund shall be kept by the City Treasurer separate from other City revenue, designated the "Police and Fire Pension Fund." The City Comptroller and City Treasurer shall be notified by said Board of its action in each case, and an entry shall be made on the books in said offices showing the name of the pensioner and

Amount of Pension.

Monthly Payments.

Pension Fund

the amount that he is entitled to draw for pension. Pensions shall be paid upon warrants drawn as in case of other payments; such pensions shall be paid monthly. The Treasurer shall, upon the order of said Board invest any accumulation of this fund in bonds of the City of Nashville.

SEC. 55. *Be it further enacted,* That all the acts, assessments and obligations created under Chapter 158 of the Acts of 1907, and amendments thereof (Chap. 131, Acts 1911 & Chap. 158, Priv. Acts of 1917), are assumed, and the duties and trusts imposed upon the funds shall be administered as herein provided.

Curbings and
sidewalks
Fund.

Notice to
Construct

(1) Said fund shall constitute a separate fund, to be used exclusively in the construction of curbing and sidewalks in the City of Nashville. The Mayor shall have the power to expend such fund or any portion thereof for the purpose herein provided, upon authority given by a resolution of the City Council. No portion of said bonds shall be expended by the Mayor until a notice has been published three times in one of the daily papers published in said city, directing the owners of the property in front of which it is necessary to construct such sidewalks and curbing to proceed to construct the same in accordance with the plans and specifications therefor prepared by the City Engineer, and within thirty days from the date of the first of said notices. Said notices shall give the name of the owner of the property in front of which such curbing or sidewalk is directed to be constructed, and also the number of front feet of said lot, and the number of the lot and the plan thereof, if there be such. But any mistake as to the name of the owner of any such lot, or the number or description of said lot shall in no wise invalidate or effect the lien upon said property for the sum of money expended in the construction of such sidewalks and curbing.

Mayor
Constructs.

(2) That if after the expiration of thirty days from the publication of the first said notices such owner shall have failed to construct the sidewalk or curbing as commanded in said notice, the Mayor may proceed to construct the same in like manner as other contracts for public improvement are entered into.

Cost charged
to whom.

(3) That a list of the several sums of money expended by the City in the construction of sidewalks and curbing shall, as soon as said work of construction is completed, be immediately delivered to the City Comptroller of said City, who shall enter the same upon his sidewalk book, and shall, within ten days after the receipt of such list, mail to the owner or agent of the owner of each of the lots of ground in front of which said sidewalks or curbing have been constructed a notice specifying the amount of money that is due for such construction and reciting that the same must

Collected—how.

be paid within thirty days from the date said assessment is entered upon the City Comptroller's sidewalk book. Provided, however, that any property owner who shall elect to pay his assessment in five equal installments shall have the right and privilege of so doing upon his election, expressed by the payment of the first installment within thirty days after said assessment list has been entered by the City Comptroller on his sidewalk book, and the remaining four installments shall be paid in 3, 6, 9 and 12 months thereafter, and all such assessments shall bear interest at the rate of six per cent per annum from thirty days after the entry upon the City Comptroller's sidewalk book. The failure to pay any one installment for thirty days after it shall become due shall of itself make all the remaining unpaid installments become, at once due. The payment of the first installment, as above provided for, shall be held and constitute a waiver of any illegality, or irregularity, or invalidity with regard to the assessment for such improvement against his property.

Payment by
Installments.

Waiver of
Illegality.

Delinquent
collected—
how.

In all cases where the first installment has not been paid within the time prescribed, the entire assessment shall be payable in cash on the expiration of sixty days from the date that said assessment was entered on the City Comptroller's sidewalk book. If said sums of money have not been paid at the expiration of said period of sixty days, it shall be the duty of the City Comptroller to certify to the City Attorney of said city a list of all such delinquents, and it shall be the duty of the City Attorney to immediately and without further notification to the owners of said property, proceed to collect such sums by bill in the Chancery Court of Davidson County. Such bill may include as many as twenty-five (25) distinct pieces or tracts of land, the owners thereof being made defendants to the bill, and such cause shall not be subject to objection for misjoinder by reason of the distinct interest that several of the defendants have in the property proceeded against, and all parties necessary to enable the Court to enforce the lien and to divest the title and invest the same in the purchaser may be made party defendant; that should any person interested pay after bill filed and before sale of land, the City Attorney shall dismiss the suit as to the persons and property included in said payment; provided, the persons so paying the taxes or assessments shall pay, his, her, or its just proportion of the cost accrued in said cause to the date of the payment; and, it is, therefore provided that the filing of this bill shall in no way defeat the rights of the City of Nashville to the lien as before established, such bill being filed for the purpose of enforcing the same. Said bill herein provided for shall be in substance and in form the same as other bills filed in the Chancery Court for the purpose of foreclosing and enforcing liens and collecting taxes, assessments, or money due, and for divesting title and making

title, but no defendants shall be entitled to a copy of the bill without applying to the Clerk and paying for such copy, nor shall it be necessary that all defendants names be included in the copy of the subpoena to be left with said defendant, or in publication for non-residents

Lien.

Said cause shall be at issue as to any defendant when he, her or its answer is filed or proconfesso has been taken, and the cause may be proceeded with by or against any one or more of the defendants until final judgment, sale and confirmation thereof without in any way affecting any other party to the suit. Any party to the bill shall have the right to appeal to the Supreme Court or to a writ of error, and such bill shall not affect proceedings as to other parties. It is hereby intended that said sums of money expended under this Act, together with all interest, costs, and charges, shall be and constitute a lien upon the fee in said lot or lots or parcels of ground immediately hereunder, and not merely upon the interest of the person or persons to whom said assessment and levy may be made, but to any and all other interests in said property, whether in reversion, remainder, or any estate of any nature whatsoever, and said assessment shall not be invalid on account of said assessed property having been leased or the assessment made against any one as owner or owners not the owner or owners, or where the owner or owners are unknown. The said lien shall be prior and superior to all other liens or incumbrances of any nature whatsoever, except State, County and Municipal taxes.

Lien attaches when.

Said liens shall attach when upon the adoption of the resolution authorizing and directing said improvement. Said resolution shall be entered upon the minute book of the Board and shall become a notice and fix the lien as to all parties who may have acquired prior thereto any title, right, or interest in or to said lot or parcel of ground, or who may acquire any such title, right, or interest subsequent thereto. The City Attorney is authorized to have an abstract of the title made to such lot or lots or parcels of ground, and the expense or interest thereof charged as an item in the collection of said assessment.

Funds rotate.

(4) That all moneys expended for the construction of curbing and sidewalks out of the proceeds of the bonds whose issuance is here authorized shall, when collected from the person, firms or corporations upon whose property such cost of construction shall have become a lien as heretofore provided, be again deposited with the Treasurer of said city, and shall be again used for the construction of other sidewalks and curbings in said city. The money herein before provided for the construction of curbings and sidewalks shall never, in any way be included in any of the

annual budgets of said city; but it is intended that said money shall be again used in the construction of sidewalks and curbsings as rapidly as it is collected.

SEC. 56. *Be it further enacted*, (1) That all the Acts, assessments and obligations created under Chapter 506 of the Private Acts of 1917 are here assumed, and all duties and trust imposed upon the funds derived from such bonds shall be administered as herein provided for the construction of gutters. The proceeds from said Gutter Construction bonds shall be deposited with the Treasurer of the City of Nashville to the credit of the fund designated as "Gutter Construction Bonds of 1917," and shall constitute a separate fund to be used exclusively in the construction of gutters in the City of Nashville. The Mayor of the City of Nashville shall have power to expend such funds or any portion thereof for the purposes herein provided in such manner as he shall deem proper upon the adoption of a resolution by the City Council authorizing the same; provided, however, that no portion of said bonds shall be expended until a notice has been published three times in one of the daily papers published in said city directing the owners of the property in front of which it is necessary to construct such gutters to proceed to construct the same in accordance with the plans and specifications therefor prepared by the City Engineer and within thirty days from the date of the first of said notices. Said notices shall give the name of the owner of the property in front of which such gutters are directed to be constructed, and also the number of front feet of said lot, and the number of the lot and the plan thereof, if there be such. But any mistake as to the name of owner of any such lot or the number or description of said lot shall in no wise invalidate or effect the lien upon said property for the sum of money expended in the construction of such gutter. Gutter construction Bonds.

(2) That if after the expiration of thirty days from the publication of the first of said notices such owner shall have failed to construct the gutters as commanded in said notice, said Mayor may proceed to construct the same in like manner as other contracts for public improvements. Expended by Mayor—how.

(3) That a list of the several sums of money expended by said Board in the construction of gutters shall, as soon as said work of construction is completed, be immediately delivered to the Comptroller of said city, who shall enter the same upon his Gutter Book, and shall, within ten days after the receipt of such list, mail to the owner or agent of each of the lots of ground in front of which said gutters have been constructed a notice specifying the amount of money that is due for such construction and reciting that the same must be paid within thirty days from the date said assessment is entered upon the Comptroller's Gutter Book; provided, Notice to Construct

Mistake.

Mayor constructs when.

Costs charged to whom

Collected—how.

Payment by
Installment

however, that any property owner who shall elect to pay his assessment in five equal installments shall have the right and privilege of so doing upon his election, expressed by the payment of the first installment within thirty days after said assessment list has been entered by the Comptroller in his Gutter Book; and the remaining four installments shall be paid in 3, 6, 9, and 12 months thereafter, and all such assessments shall bear interest at the rate of six per cent per annum from thirty days after the entry upon the Comptroller's Gutter Book. The failure to pay any one installment for thirty days after it shall become due shall of itself make all the remaining unpaid installments become due at once. The payment of the first installment, as above

Waiver of
Illegality.

provided for, shall be held and constitute a waiver of any illegality, irregularity, or invalidity with regard to the assessment for such improvement against his property. In all cases where the first installment has not been paid within the time prescribed, the entire assessment shall be payable in cash on the expiration of sixty days from the date that said assessment was entered on the Comptroller's Gutter Book. If said sums of money have not been paid at the

Delinquent
collected
how.

expiration of said period of sixty days, it shall be the duty of said Comptroller to certify to the City Attorney of said city a list of all such delinquents, and it shall be the duty of the City Attorney to immediately and without further notification to the owners of said property proceed to collect such sum by bill in Chancery Court of Davidson County. The assessments under this section shall be collected in the same way through the courts as is provided in this Act for the collection of city taxes, paving and sidewalk assessments. It is hereby intended that such sums of money

Lien.

expended under this Act, together with all interest, costs, and charges shall be and constitute a lien upon the fee in said lot or lots or parcels of ground immediately hereunder and not merely upon the interest of the person or persons to whom said assessment and levy may be made, but to any and all other interests in said property, whether in reversion, remainder or any estate of any nature whatsoever, and said assessment shall not be invalid on account of said assessed property having been leased or the assessment made against any one as owner or owners not the owner or owners, or where the owner or owners are unknown. The said lien shall

Priority of
Lien.

be prior and superior to all other liens or incumbrances of any nature whatsoever, except, State, County and Municipal taxes. Said lien shall attach when said resolution authorizing and directing said improvement is adopted and entered upon the gutter minute book of the Board, and shall become a notice and fix the lien as to all parties who may have acquired prior thereto any title, right, or interest in or to said lots or parcels of ground, or who may acquire any such

title, right or interest subsequent thereto. The City Attorney is authorized to have an abstract of title made to such lot or lots or parcels of ground and the expense or interest thereof charged as an item in the collection of said assessment.

Abstract of Title.

(4) That all moneys expended for the construction of gutters out of the proceeds of the bonds whose issuance is here authorized shall, when collected from the person, firms or corporations upon whose property such cost of construction shall have become a lien as heretofore provided, be again deposited with the Treasurer of said city, and shall be again used for the construction of other gutters in said city. The money hereinbefore provided for the construction of gutters shall never in any way, be included in any of the annual budgets of said city, but it is intended that said money shall be again used in the construction of gutters as rapidly as it is collected.

Funds rotate.

SEC. 57. *Be it further enacted*, That in the event of the temporary absence or disability of any officer other than a member of the City Council, the Mayor shall have the power to appoint some proper person to act in the place and stead, of such officer during the absence or disability and to provide for the compensation of such person temporarily discharging the duties of said officer. Compensation or salary shall not be allowed in any case of absence from duty exceeding fifteen days except it be authorized by a resolution of the City Council, and in no case for more than sixty days. Excepting that the Council in cases of absence due to physical disability may allow and fix compensation.

Temporary vacancies filled—how.

Salary when absent

SEC. 58. *Be it further enacted*, That the surety in all bonds required by the terms of this Act to be given by city officers or employes shall be a regularly incorporated surety or indemnity company which is authorized to do business in the State of Tennessee; and that all officers and employes who shall be employed by the city shall be elected or appointed with reference to their qualifications and fitness, and for the good of the public service, and without reference to their political faith or party affiliations; and that their first allegiance shall be to the city; and that it shall be unlawful for any candidate for office, whether for a position on the City Council or otherwise, in the employment of said city, to directly or indirectly give or promise any person or persons any office, employment, benefit or anything of value, for the purpose of influencing or obtaining the political support, aid or vote of any person or persons; and a violation of this provision of this Act shall constitute a misdemeanor, and in addition to being sufficient cause for the removal of such officer or officers as herein before provided the person so offending shall upon conviction, be fined not

Officers and Employes Bonds.

Promise of Office for support unlawful.

Penalty.

less than Five Hundred (\$500.00) Dollars, nor more than One Thousand (\$1,000) Dollars, and imprisoned for not less than six (6) months nor more than one (1) year.

Public Act
SEC. 59. *Be it further enacted*, That this Act is hereby declared to be a public Act, and may be read in evidence in all Courts of law and equity, which shall take judicial notice hereof; and all ordinances, resolutions and proceedings of said city may be proved by the seal of the corporation, attested by the City Clerk; and when printed and published by authority of the corporation, the same shall be received in evidence in all courts and places without further proof.

Transfer of Property, etc.
SEC. 60. *Be it further enacted*, That the right, title and ownership of all property, and all uncollected taxes, dues, claims, judgments, decrees, and cases in action, and all other property whatsoever, real, personal, or mixed belonging to, held or owned by the said city shall be, and are hereby transferred to and vested in the corporation chartered and organized under this Act, with full power in the municipal corporation chartered under this Act to enforce all rights of the municipal corporation which it supersedes. Said corporation under this Act shall answer and be liable for all debts, contracts, and obligations of the corporation which it succeeds, in the same manner and proportion and to the same extent as said municipal corporation is liable under existing laws.

Complete system of Government.
SEC. 61. *Be it further enacted*, That this Act is hereby declared to be a complete system of municipal government for said city; and no office or officers shall have or exercise any power or authority not herein conferred anything in former Acts pertaining to and covering said city to the contrary notwithstanding.

Former Ordinances adopted.
SEC. 62. *Be it further enacted*, That all ordinances, laws, resolutions and by-laws duly enacted and in force when this Act becomes effective and not inconsistent with its provisions shall not be considered as being repealed, but shall remain in full force and effect until repealed, modified, or amended as herein provided.

Isolating Invalidities.
SEC. 63. *Be it further enacted*, That each section of this Act is herein declared to be separate and independent from every other section hereof; and the invalidity of any section or sections hereof shall not be construed as affecting the validity of the remaining sections, as the same would have been passed by the General Assembly if such invalid section or sections, if any, had been stricken out before the passage of this Act.

Mayor continued in Office.
SEC. 64. *Be it further enacted*, That the present Mayor of the city of Nashville shall be and continue in the office of Mayor, and as such shall be invested with all of the powers

and duties of Mayor as provided in this Act, until the expiration of this term of office, on the first Tuesday following the second Thursday in October, 1921, or until a vacancy occurs at which time the City Council shall elect a Mayor, as provided in this Act.

SEC. 65. *Be it further enacted*, That the present Commissioner of Finance, Lights, and Market House, and the present Commissioner of Fire, Street Sprinkling and Building Inspection shall continue in the employ of the city until the expirations of the terms of office to which they were elected, towit: The first Tuesday after the second Thursday in October, 1923, or their present salaries of Five Thousand (\$5,000.00) Dollars per annum; and that the present Commissioner of Water Works, Street Cleaning and Workhouse and the present Commissioner of Street, Sewers and Sidewalks shall likewise continue in the employ of the city until the expiration of the terms of office to which they were elected, towit: The first Tuesday after the second Thursday in October, 1921, at their present salaries of Five Thousand Dollars (\$5,000.00) per annum. But the said offices to which they were elected are hereby abolished, and the above mentioned incumbents shall, from and after the taking effect of this Act, be and become members of the Board of Public Works herein before created, and shall perform such other services as may be assigned to them by the Mayor. As vacancies occur in the Board as first constituted, they shall be filled by, first, the City Engineer, then the Superintendent of Waterworks, then the Superintendent of the Electric Light Plant, and lastly by the City Health Officer, at which time the Board will be permanently constituted as designed in this Charter.

Commissioners
continued in
Office.

Members of
Board of
Public
Works.

“Upon the taking effect of this Charter all officers and employes of the city not otherwise dealt with herein and whose offices and duties have not been discontinued by this Act, shall continue in office and in the performance of their duties until provision shall have been made in accordance with the terms of this Charter for the performance or discontinuance of the duties of any such office or service, or until they shall be discharged or removed in conformity with the provisions of this Charter.

Officers and
employes
continued
in office

“SEC. 66. *Be it further enacted*, That until otherwise changed in the manner provided by law, the polling places in the wards designated and described in this Act shall be the same as they were fixed at the time of the passage of this Act, provided that in the event there shall be no polling place within the territory of any ward designated under this Act then for the purpose of the first election, the election Commissioners of Davidson County may designate a polling place or polling places for such ward.

Polling Places

Advisory
Commis-
sioners.

“SEC. 67. *Be it further enacted,* That the Mayor shall appoint a Planning Commission and an Engineering Commission, each to be composed of three members; and he shall have the right to appoint other committees of citizens to advise, aid and cooperate in matters affecting the public health, safety or morals, or otherwise affecting the city’s inter-safety or morals, or otherwise affecting the city’s interests, and all persons so selected shall be chosen because of special knowledge, skill or experience with respect to the particular matter that they are to deal with. They shall serve without compensation, and shall hold their positions at the will and pleasure of the Mayor, and their duties shall be only advisory, and they shall have no authority to create any liability against the city.”

Councilmen
prohibited
from
requesting
Appointments.

SEC. 68. *Be it further enacted,* That it shall be unlawful for any member of the City Council directly or indirectly to request the Mayor, or other city officer or employe, to appoint or nominate or employ any person to any position holding office or performing any service under this Charter; and that any violation of this provision shall be deemed a misdemeanor, and upon presentment and conviction shall be fined not less than Fifty Dollars nor more than One Thousand Dollars, and in addition imprisoned in the County Workhouse for not less than ninety days nor more than twelve months. That no person related to any member of the City Council within the fourth degree of affinity or consanguinity shall be employed by the Mayor or in any of the departments the expenditures of which are made by him.

Penalty.

Repealing.

SEC. 69. *Be it further enacted,* That all laws or parts of laws in conflict herewith be and the same are hereby repealed.

SEC. 70. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.
Passed February 10, 1921.

ANDREW L. TODD,
Speaker of the House of Representatives.
W. B. BOND,
Speaker of the House.

Approved February 11, 1921.

A. A. TAYLOR,
Governor.

CHAPTER NO. 771.

SENATE BILL NO. 1078.

PRIVATE ACTS, 1921.

(Davidson Delegation.)

An Act to extend the corporate limits of the City of Nashville, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, that the corporate limits of the City of Nashville, Tennessee, shall be extended, so as to annex and include within the corporate limits of said city the following contiguous territory now lying within Davidson County, Tennessee, as follows, to-wit:

1. Beginning on said corporate limits at the intersection of the center line of Park circle with the center line of West End Ave., from thence extending southwardly in a straight line across West End Ave. to the corner between lots 2 and 3 on the southerly margin of said West End Ave. in Warner's Subdivision as recorded in book 332, page 154, R. O. D. C.; from thence extending southerly along the dividing line between said lots 2 and 3, to the common corner between lots 2 and 3 and 12 and 13 of said subdivision; from thence extending along the rear dividing line between lots 2 and 13 and lots 1 and 14 of said subdivision and continuing easterly in a line approximately straight therewith and crossing the Tennessee Central Railroad to the common corner, lots 18 and 19 of the West End Heights Subdivision as recorded in Book 332, Page 124, R. O. D. C., said corner being the easterly margin of a street running parallel with and adjacent to the right-of-way of the Tennessee Central Railroad; from said corner extending easterly along the dividing line between said lots 18 and 19 and crossing Fairfax Ave. in a straight line to the center line of an alley running south of and parallel with West End Ave. from thence extending easterly along the center line of said alley to its intersection with the center line of an alley running northerly and southerly between Fairfax Ave. and Love circle, all as shown on West End Heights Subdivision; from thence extending southerly along the center line of said last mentioned alley to the center line of Marlborough Ave. as shown on said West End Heights subdivision; from thence extending southerly at right angle to Marlborough Ave. 200 feet to a point; from thence extending easterly along a line parallel with the southerly line of Marlborough Ave. and 200 feet distant therefrom to a point 200 feet southerly from the intersection of the center line of 32nd Ave. and the center line of Blakemore Ave.,

extended; from thence extending southerly on the center line of said 32nd Ave. projected to a point 200 feet southerly from and at right angles to the southerly line of Blakemore Ave. extended; from thence extending southeasterly along a line parallel with the southerly line of Blakemore Ave. and 200 feet distant therefrom the center line of 25th Ave., So.; from thence easterly to the southerly line of an alley south of and parallel with the south line of Said Blakemore Ave.; from thence extending along the southerly line of said alley and continuing eastwardly along the same straight line through Hewlett St. (See Plan Book 57, page 67, R. O. D. C.) and crossing 24th Ave., So., and continuing easterly in a straight line to a point directly in line with an alley extending northerly and southerly, parallel with the westerly line of 21st Ave., So. (Hillsboro Road) and approximately 170 feet westerly from the line of said 21st Ave., So., from thence extending southwesterly along a line parallel with and approximately 170 feet west of the west margin of 21st Ave., So., and crossing Carlton Ave. and continuing southwesterly in the same straight line to the center of an alley west of and parallel with and approximately 170 feet west of the west margin of said 21st Ave., So.; and thence continuing southwesterly along the center line of said alley, approximately 170 feet and westerly from the west line of 21st Ave. to and crossing Jones Ave. and continuing along the center line of said same alley to its intersection with an alley extending East and West and south of said Jones Ave. (See Plan Book 332, page 115); from thence extending easterly along the center line of said last mentioned alley crossing said 21st Ave. to a point on the easterly margin thereof; from thence extending southerly along the easterly margin of said 21st Ave., So., to the dividing line between lots 2 and 3 of the Calhoun Plan; from thence extending easterly along the boundary line between lots 2 and 3 and 10 and 11 of said Calhoun Plan and crossing 20th Ave., So., in a straight line and continuing easterly along the dividing line between lots 14 and 15 and lots 32 and 33 and lots 34 and 35 of Geo. W. Blair's subdivision of Belmont Subdivision, Book 332, page 56, R. O. D. C., and continuing in the same straight line along the dividing line of lots 3 and 4 and crossing Baxter Ave. as shown on the Lenox Subdivision recorded in Book 161, page 171, and continuing along said same straight line approximately, parallel with the southerly margin of Overall Ave. to the center line of an alley south of and parallel with Overall Ave., otherwise known as Portland Ave., to the intersection of said last mentioned alley with the westerly margin of an alley west of and approximately parallel with the westerly margin of Belmont Boulevard; from thence extending southerly along the westerly margin of said same alley to its intersection with the south-

erly margin of an alley south of and approximately parallel with the southerly line of said Blair Boulevard; from thence extending easterly along the southerly margin of said last mentioned alley to its intersection with the westerly margin of an alley west of and approximately parallel with the westerly line of Belmont Boulevard. (See Plan Book 421, page 34 R. O. D. C.); from thence extending southerly along the westerly margin of said alley and approximately parallel with the westerly line of Belmont Boulevard to and crossing Ashwood Ave. and crossing Linden Ave. and crossing Beechwood Ave. to the dividing line between lots 181 and 182 of the Belmont Heights Subdivision as recorded in Book 421, page 34, R. O. D. C.; from thence extending easterly along the dividing line of said lots 181 and 182 to the westerly margin of said Belmont Boulevard; from thence crossing said Belmont Boulevard in a straight line to the dividing corner between lots 112 and 113 of said last mentioned subdivision, from thence extending easterly along the dividing line of said lots 112 and 113 to the easterly margin of an alley running northerly and southerly and approximately parallel with the easterly margin of said Belmont Boulevard (See Plan book 421 page 34, R. O. D. C.); from thence extending northerly along the easterly margin of said last mentioned alley and crossing Beechwood Ave. and continuing along said alley to the center line of an alley midway between Beechwood and Elmwood Avenues (See Plan Book 421, page 34, R. O. D. C.); from thence extending easterly along the center line of said last mentioned alley and continuing in the same straight line crossing Harpeth St. to the intersection of the westerly line of an alley west of and parallel with the Granny White Turnpike, from thence extending southerly along the westerly line of said last mentioned alley to the center line of Dallas Ave., from thence extending easterly along the center line of Dallas Ave. to the center line of the Granny White Turnpike; from thence extending across Granny White Turnpike in a straight line to a center line of an alley midway between Halcyon Ave. and Pope Ave., as shown on the plan of Idlewild, recorded in book 332, page 77 R. O. D. C.; from thence extending easterly along the center line of said last mentioned alley to the center line of Preston St. as shown on said plan of Idlewild and linking up with, and connecting with the corporation line of said city at this point; from thence running with the present corporation line to the point of beginning.

2. Beginning on the corporate limits of said city on the westerly line of 9th Ave., So. at a point approximately midway between Halcyon Ave. and Knox Ave.; from thence extending easterly across 9th Ave., So., and at right angles thereto a distance of 200 feet to a point; thence extending

northerly along a line parallel with and 200 feet easterly from the easterly margin of said 9th Ave., So., to a point 200 feet southerly from the southerly margin of Bradford Ave.; from thence extending easterly along a line parallel with and 200 feet from the southerly margin of Bradford Ave. to the center line of the Louisville and Nashville Railroad; from thence extending northerly along the center line of said railroad to the corporate limits at the intersection of Bradford Ave.; from thence running with the present corporation line to the point of beginning.

3. Beginning on the corporate limits of said city in the alley south of and parallel with Humphreys St. and being 200 feet westerly from the westerly margin of 4th Ave., S.; from thence extending southerly along a line parallel with and 200 feet from the westerly margin of said 4th Ave., S., to its intersection in a point 200 feet west of intersection of the west margin of said 4th Ave., with the westerly margin of Raines Ave., from thence extending southerly along a line parallel with Raines Ave. to and crossing Brown's Creek and continuing to the point where said last described line will intersect the corporate limits on the boundary line of the State Fair Grounds; from thence running with the present corporation line to the point of beginning.

4. Beginning on the corporate limits on the northerly boundary line of the State Fair Grounds at a point 200 feet easterly from the east margin of Raines Ave., from thence extending northerly along a line parallel with the easterly line of said Raines Ave. to a point 200 feet southerly from the southerly margin of Morton St. or Ave.; from thence extending easterly along a line parallel with and 200 feet southerly from the southerly margin of Morton St. to the easterly line of the right-of-way of the Tennessee Central Railroad; from thence extending northerly along the easterly boundary line of the right-of-way of the Tennessee Central Railroad Co. to and continuing along said same line to and connecting with the corporate limits at or near Decatur St., from thence running with the present corporation line to the point of beginning.

5. Beginning on the corporate limits of said city on the Lebanon Turnpike at the crossing of the Tennessee Central Railroad; from thence extending northwesterly along a curved line with the northerly boundary line of said Tennessee Central Railroad to the easterly margin of Stanley Street; from thence extending southerly along the easterly margin of Stanley Street to and connecting with the corporate limits at or near Willow Street; from thence running with the present corporation line to the point of beginning.

6. Beginning at a point on the corporate limits at low water mark on the southerly bank of the Cumberland River at a point approximately southerly from and opposite South 10th St.; from thence extending southeasterly with the

meanders of the Cumberland River at a low mark to the westerly boundary line of the pumping Station of the City of Nashville; from thence extending southerly along the westerly boundary line of said Pumping Station property, and continuing in a straight line therewith to a point 500 feet south of the center line of the Tennessee Central Railroad; from thence extending easterly along a line parallel with and 500 feet south of the center line of said Tennessee Central Railroad, crossing the Lewisburg and Northern Railroad and continuing in the same straight line to a point 300 feet easterly therefrom; from thence extending along a line northerly and parallel with said Lewisburg and Northern Railroad to low water mark of the Cumberland River; from thence extending westwardly along the meanders of low water mark of said Cumberland River to the easterly margin of the right-of-way of said Lewisburg and Northern Railroad; from thence extending northerly along the easterly margin of the right-of-way of said Lewisburg and Northern Railroad to a point opposite the corporate limits in the line of Russell Street extending southeasterly; from thence extending northwesterly in line with said Russell St. to and connecting with the corporate limits at or near the northerly boundary line of Shelby Park; from thence running with the present corporation line to the point of beginning.

7. Beginning on the corporate limits on Russell St. at a point 200 feet southeasterly from 20th St.; from thence extending northerly along a line parallel with and 200 feet easterly from the easterly margin of 20th St. to a point opposite and in line with the corporation line north of and parallel with Holly St.; from thence extending northwesterly in line with the corporate limits north of Holly Street to, and connecting with said corporate limits in 20th Street, and north of said Holly Street; from thence running with the present corporation line to the point of beginning.

8. Beginning on the corporate limits in line with Woodland Street east of 19th St. extended; from thence extending southerly in line with the corporate limits east of 19th Street to a point 200 feet southerly from the southerly margin of Woodland Street; from thence extending westerly, along a line parallel with, and 200 feet southerly from Woodland Street to a point 200 feet easterly from the easterly margin of 18th St. extended; from thence extending southerly, along a line parallel with the easterly margin of 18th Street extended, and 200 feet therefrom to, and connecting with the corporate limits east of said 18th Street and north of said Holly Street; from thence running with the present corporation line to the point of beginning.

9. Beginning on the corporate limits in line with Ordway Place extended, and east of 19th Street extended; from thence extending northerly in line with the corporate limits

east of, and parallel with said 19th Street to a point 200 feet northerly from the line of said Ordway Place extended; from thence extending westerly along a line parallel with the corporation line in Ordway Place extended, and 200 feet northerly therefrom to, and connecting with the corporate limits at a point north of Ordway Place and easterly from 16th Street; from thence running with the present corporation line to the point of beginning.

10. Beginning on the corporate limits at a point approximately 200 feet northerly from the northerly margin of Eastland Ave. and 200 feet southeasterly from the easterly margin of 16th Street, and extending thence northerly along a line parallel with and 200 feet from the easterly margin of said 16th Street to a point 200 feet northerly from the northerly margin of Franklin Ave. or Seymour Ave.; from thence extending westerly along a line parallel with and 200 feet from said Franklin Ave. and Seymour Ave. to a point 200 feet westerly from the westerly margin of the Gallatin Turnpike; from thence extending southerly, along a line parallel with and 200 feet from the westerly margin of said Gallatin Turnpike to, and connecting with the corporate limits, at a point south of Chickamauga Ave. and west of Gallatin Road; from thence running with present corporation line to the point of beginning.

11. Beginning on the corporate limits at the intersection of Mile End Ave.; with the center line of the Louisville and Nashville Railroad; from thence extending northerly along the center line of said Louisville and Nashville Railroad to a point 200 feet north of the northerly margin of Mile End Ave. in a line perpendicular therewith; from thence extending westerly along a line parallel with and 200 feet from the northerly margin of Mile End Ave. and continuing in the same straight line to the intersection of the western line of Meridian Street, at or near the intersection of Eastmoreland Ave.; from thence extending northerly, along the westerly margin of said Meridian St. to a point midway between the northerly margin of Eastmoreland Ave. and the southerly margin of Lucile St.; from thence extending on a line midway between and parallel with said Eastmoreland Ave. and said Lucile St. to a point 200 feet west of the westerly margin of the Dickerson Road, (N. 1st St.) from thence extending southerly on a parallel with and 200 ft. west from the westerly margin of said Dickerson Road and 200 feet from the westerly margin from North 1st Street to, and connecting with the corporate limits, at and near the intersection of Hancock St. with said North 1st Street; from thence running with the present corporation line to the point of beginning.

12. Beginning on the corporate limits in line with 21st Ave., N., extended, and 200 feet northerly from the northerly

margin of Buchanan St.; from thence extending westerly, parallel with and 200 feet northerly from the north line of said Buchanan St. to a point 200 feet west of 24th Avenue, North; from thence extending southerly along a line parallel with and 200 feet from the westerly margin of 24th Ave., N., to and intersecting with the northerly line of the brick work of the second ward trunk sewer as shown on the plans on record in the City Engineer's Office of Nashville, Tennessee; from thence extending westerly with the northerly line of the brick work of the said second ward trunk sewer to low water mark of the Cumberland River; from thence extending down the Cumberland River at low water mark to a point opposite and in line with a straight line midway between 37th and 38th Avenues, North; from thence extending southerly in a straight line with said last described line to a point connecting with the corporate limits of said City on the northerly margin of Jefferson Street or Centennial Boulevard midway between said 37th and 38th Avenues, North; from thence running with the present corporation line to the point of beginning.

13. Beginning on the corporate limits of said city on Minnesota Ave. at a point west of the intersection of 42nd Ave. therewith; from thence extending southerly and at right angles to said Minnesota Ave. and 200 feet to a point, from thence extending southeasterly along a line parallel with and 200 feet from the southerly margin of Minnesota Ave. (West Nashville Road) to the westerly margin of the right-of-way of the Tennessee Central Railroad; from thence extending southerly along the westerly margin of the right-of-way of said Tennessee Central Railroad to and connecting with the corporate limits where the latter line crosses said Tennessee Central Railroad; from thence running with the present corporation line to the point of beginning.

SEC. 2. *Be it further enacted*, that this Act shall take effect from and after its passage, the public welfare requiring it. Passed April 6th, 1921.

W. W. BOND,

Speaker of the Senate.

ANDREW L. TODD,

Speaker of the House of Representatives.

Approved April 9, 1921. A. A. TAYLOR, GOVERNOR.

INDEX TO CHARTER.

(References to sections, sub-sections, and pages.)

ABUTTING PROPERTY PAVING LAW.	Section	Page
Abstract, item of cost in assessment	42 (8)	55
Accounts, improvement funds, how kept	42 (14)	61
Appeals from chancery sales, how taken	42 (8)	54
Assessments due thirty days from completion	42 (7)	53
Assessments limited	42 (4)	51
Assessments payable five annual installments	42 (7)	53
Authority of enforcing improvements, in Board	42 (4)	49
Bids for improvement, taken when	42 (3)	50
Bonds, street improvement, form of	42 (9)	57
Bonds, street improvement, fund account, how kept	42 (9)	55
Bonds, street improvement, how called	42 (9)	55
Bonds, street improvement, liquidated, special tax levy	42 (9)	56
Bonds, street improvement, Ordinance, how enacted	42 (9)	55
Bonds, street improvement, covers assessment of	42 (9)	55
Bonds, street improvement, retired before maturity, how	42 (9)	58
Bonds, street improvement, sale, how made	42 (9)	56
Bonds, street improvement, not affected by errors	42 (13)	60
Bonds, City's prorata, one-third	42 (18)	62
Book "Special Assessment" kept	42 (8)	53
Bought in by Mayor	42 (17)	62
Chancery Court jurisdiction to enforce payment	42 (8)	54
City Attorney, abstract ordered by	42 (8)	55
City Attorney, collects	42 (8)	54
Confirmation of assessment	42 (6)	52
Confirmation final fixing of costs	42 (6)	52
Contract for improvements, let how	42 (3)	50
Contractors bond	42 (3)	51
Costs apportioned, how	42 (1)	51
Costs assessed, two-thirds to abutters	42 (4)	51
Costs of City's part, provided	42 (18)	62
Costs of improvements, include what	42 (1)	51
Costs of paying between tracks	42 (5)	51
Costs protested by abutters, how	42 (6)	52
Coupons, form of	42 (9)	58
Delinquent installments for sixty days	42 (8)	54
Errors corrected	42 (6)	52
Errors do not invalidate assessment	42 (13)	60
Errors do not invalidate bond or assessment	42 (19)	65
Evidence "Special Assessment Book."	42 (16)	62
Funds collected, kept in special accounts	42 (14)	60
Hearing remonstrances, advertised two weeks	42 (2)	50
Improvements authorized, what	42 (1)	49
Improvement made, by whom	42 (3)	50
Improvement mandatory, when	42 (1)	49
Installation payment, how elected	42 (7)	53
Interest and penalty on delinquent payments	42 (7)	53
Jurisdiction to enforce in Board	42 (4)	49
Lien attaches, when	42 (8)	55
Lien is upon the fee	42 (8)	54
Lien, minute book is notice of	42 (8)	55
Lien priority, order of	42 (8)	54
Notice of hearing on assessment of costs	42 (6)	52
Notice of remonstrances or protests	42 (2)	50

	Section.	Page.
Objections waived	42 (7)	53
Owners two-thirds frontage petitioning	42 (1)	49
Payment entire assessment, when	42 (7)	53
Payment in installments, when	42 (7)	53
Payments of assessment, made how	42 (7)	53
Penalty and interest on delinquent payments	42 (7)	53
Petition of two-thirds abutters to pay total cost	42 (15)	61
Prorating cost of assessment, hearing	42 (6)	52
"Public Improvement Account" at bank	42 (14)	61
Quit claim for debt	42 (17)	62
Rails removed and replaced	42 (10)	59
Railway tracks in street, paving paid how	42 (10)	58
Remonstrance, action, what may be taken	42 (2)	50
Remonstrance advertised two weeks	42 (2)	50
Remonstrance against what	42 (2)	50
Resolution authorizing improvements	42 (2)	49
Sewer connections made	42 (11)	59
Streets, etc., to be improved, designated	42 (2)	49
Special assessment books kept	42 (8)	53
Specifications, etc., estimates on file	42 (2)	49
Tax levy to pay bonds ordered, if necessary	42 (12)	59
Treasurer keeps accounts	42 (14)	60
Treasurer liable for keeping of funds	42 (14)	61
Title under sale enforcing payment in bar of equity	42 (8)	54
Vouchers on "Public Improvement Account"	42 (14)	61
Waiver of invalidities, how	42 (7)	53
Water connections	42 (11)	59
ANNEXATION OF NEW TERRITORY.		
Consent of City by Ordinance necessary	1	11
Election	1	11
Notice	1	11
Petition	1	11
ANIMALS.		
Cruelty to	8 (30)	20
Jurisdiction over Humane Commission	51	73
Pound for	8 (17)	19
Running at large	8 (17)	19
APPROPRIATIONS.		
Contracts, no interest in whatever	28	39
Diverting appropriations penalized	38	48
Expenditures \$500, and under, how made	27	38
Expenditures more than \$1000, how authorized	27	38
Expenditures, official interest in, prohibited	27-28	38-39
Hospital expenditures over \$500	49	70
Hospital expenditures under \$500	49	70
Hospital expenditures under \$150	49	70
Humane Commission expenditures, how made	51	73
Ordinance, by	8 (6)	17
Park Commissioners' expenditures, how made	52 (6)	76
Schools for \$500, more and less than, how made	50	71
School purposes, by Board of Education	50	71
Sinking Fund, etc., cannot be diverted	31	41
ART, MUNICIPAL AID.		
Commission, how appointed	52 (6)	76
Commission, term of	52 (6)	76
Control of art interests	52 (5)	75

	Section.	Page.
ASSESSMENT FOR TAXES.		
Erroneous assessments corrected, how	29	39
Equalized by Board	25	36
Laws governing	29	39
Omitted property assessed, how	29	40
Privileges—same as State	8	(2) 17
Real, personal, and mixed property subject to	29	39
Special—street improvement	12	(6) 52
Special—sidewalk and curb	55	(3) 86
Special—gutter	56	(3) 89
Tax Assessor makes	29	39
Water	8	(22) 19
BOARD OF PUBLIC WORKS.		
Abutting property improvements	16	30
Duties of members	16	30
Improvement of streets, etc	12	49
Mayor Chairman	16	29
Members, who are	16	29
Members, who are first	65	93
Powers of	16	30
BONDS.		
Abutting improvement contractors' bonds	42	(3) 51
Abutting improvement abutters' issue	42	(9) 55
Abutting improvement abutters' bonds (see title, "Abutting Property, Etc.")		
Abutters' and city's prorata costs bonds	42	(18) 62
Abutting tax levy to retire	42	(12) 59
Anticipation notes	33	44
Approval of, for	10	48
Authorized by Ordinance	8	(6) 17
Books for keeping in	31	42
Called for redemption or payment	31	42
Cancel, posted in book	31	42
Contract	40	48
Errors validated	42	(13) 60
Expenses of issuance, paid from what	36	47
Funding bonds, referendum not necessary	34	46
General Improvement (see title), "Abutting Improvements"	42	(18) 62
Hospital Commissioners' bonds	49	68
Interest ceases from what date	31	42
Mayor's fixed	11	22
Officers and employees fixed, how	9	(1) 21
Officers and employees secured, how	58	91
Quarterly purchase of	31	42
Referendum for issue	34	35 46 47
Replace public buildings, etc	8	(3) 17
Redeemed from Sinking Fund	31	42
Report semi-annually bonds bought	31	43
Refund and bonds, no referendum	34	46
Surplus of proceeds, how used	36	47
Revenue anticipation or notes, issued how	32	43
Transportation facilities	53-A	80
BOUNDARIES.		
City, same as formerly	1	5
City, extension of	1	11
Extension of, ch. 771 Priv. Acts 1921		95
Wards, fifteen	1	5

	Section.	Page.
BUDGET.		
Adopted by Ordinance	11	24
Amount not to exceed revenue	26	37
Annually prepared and published	11	24
Balances carried over	37	48
Bonds, proceeds from, not included in limit	26	37
Diverting funds penalized	38	48
Estimates of each department itemized	11	24
Insurance from loss, asset	26	37
Mayor prepares	11	24
Ordinance, amended when	6	16
Revenues defined	26	37
Penalty to exceed	38	48
Publication of	11	24
Sinking Fund cannot be transferred	26	37
Transfers from one to another department	26	37
Tuition fees to current school	26	37
BUILDINGS		
Bonds to replace	8	(3) 17
City can erect, what	8	(7) 17
Fire engine halls	8	(23) 19
Regulation of	8	(20) 19
Supervisor of under Civil Service	46	67
Transfer from former to present corporation	60	92
Workhouse, etc.	8	(24) 24
CANDIDATES.		
(See "General Elections," "Primary Elections.")		
Unlawful to offer position, when	58	91
CHARTER ACT.		
Complete system	61	92
Public Act	59	92
Repealing section, former charter	69	94
CHARITIES COMMISSION OF DAVIDSON COUNTY.		
\$2,500, as much as	8	(6) 17
CITY OF NASHVILLE.		
Boundaries same as formerly	1	5
Boundaries enlarged, see Acts of 1921-Ch 771		95
Corporation created	1	5
Corporate powers	2	11
Divided into 15 wards	1	5
Takes effect	70	94
Transfer of property, debts, etc.	60	92
CHANCERY COURT.		
Sidewalk assessment, collected through	55	(3) 87
Street improvement assessments, collected through	47	(8) 54
Taxes collected through	29	40
CITY ATTORNEY.		
Abstract of title ordered by	42	(8) 55
Appointed how	7	16
Assistants	23	34
Digest prepared by	48	67
Duties	23	34
Qualifications	23	34
Sidewalk assessments collected by	55	(3) 87
Special assessments collected by	42	(8) 54

	Section	Page.
CITY AUDITOR.		
Bond	14	29
Compensation fixed, how	14	29
Duties	14	29
Elected by City Council	7, 14	16, 28
Qualifications	14	28
CITY CLERK.		
Appointed and confirmed by whom	7	16
Bond	15	29
Civil Service, under	46	67
Compensation fixed, how	15	29
Duties	15	29
Qualifications	15	29
CIVIL SERVICE AND PENSION BOARD.		
Charges in writing and preferred how	24	35
City Clerk is Clerk of	15	29
Discharge of employees under	24	35
Employees under	46	67
Human Officers under	43	65
Inquisitorial powers	24	35
Members and term of office	24	34
Officers, under	46	67
Organization of Board	24	34
Pension hearings	24	36
Punishment	24	35
Reduction in number, who designates	46	67
Rules and qualifications	24	35
Subpoena and summons, power to enforce	24	35
Trials	24	35
Vacancy filled how	24	34
CITY COUNCIL.		
Appoint of officers confirmed by	7	16
Called meetings, notice	4	14
City Auditor elected by	7	16
Composed of 15 councilmen	3	12
Legislative powers in	3	12
Mayor elected by	7	16
Meetings, regular, adjourned and called	4	14
Notes on Bond issue	33	44
Officers confirmed by	7	16
Ordinances, powers by	8	16
President	4	14
Special meetings called	11	23
Quorum at meetings	4	14
Quasi-judicial powers	5	14
Resolution, powers by	10	21
Revenue notes issued by	32	43
Rules of procedure	4	14
Vacancy, special election to fill	3	15
Vice-President	4	14
CITY COURT.		
(See "Judge of City Court.")	21	32
Clerk of, appointed and confirmed by whom	7	16
CITY PROPERTY.		
How to hold and to sell	2	11
Transfer from old to new corporation	60	92

	Section.	Page.
CLERKS AND EMPLOYEES.		
Civil Service, who under	46	67
How employed	11	22
Salaries, how fixed	9 (2)	21
When and how discharged	11	24
COMMISSIONERS.		
Continued in office	65	93
COMPROLLER.		
Appointed	7	16
Bond	17	30
Distress Warrants issued by	29	40
Gutter costs collected by	56 (3)	89
Omitted taxes assessed by	29	40
Qualifications	17	30
Report on Sinking Fund	31	43
Salary	17	30
Sidewalk and curbing costs collected by	55 (3)	86
CONTRACTS.		
Abutting improvements, how let	42 (3)	50
Advertised when for more than \$500	27	38
Affidavit showing parties at interest	27	38
Alterations must be in writing	27	38
Bids may be rejected	27	38
Bonds to secure	40	48
Convict labor cannot be employed	27	39
Domestic contractors favored	27	39
Estimates required	11	24
Executed how	11	24
Extras must be agreed to in writing	27	38
Interest in prohibited	28	39
Liability created only against funds in budget	38	48
Made in corporate name of the city	11	24
No interest in any relative of Board letting	27	38
Payment on not made until affidavit filed	27	38
Seal and signature to, what necessary	11	24
CONVICT LABOR.		
Employed not in city work	27	39
COUNCILMEN.		
Compensation	4	14
Corrupt practices	58, 68	91, 94
Elected, one from each ward	3	12
Elected, when	3	13
Eligibility	3	13
Impeachment of	5	14
Non-attendance at meetings	4	14
Oath of office	3	13
Promising jobs, etc	58	91
Qualifications	3, 12	13, 25
Relatives cannot be employed	68	94
Recall, removed by	13	26
Soliciting employments	68	94
Term of office	3	13
Vacancy special election to fill	3	13
CRUELTY TO ANIMALS.		
Humane Commission has jurisdiction	51	73
Punishable under ordinance	8 (30)	20

	Section.	Page.
CORRUPT PRACTICES.		
Promises, etc., of employment	58	91
Requesting Mayor to employ	68	94
CUMBERLAND RIVER.		
Wharves, landings, etc., kept and regulated	8 (18)	19
CURBS.		
(See title Sidewalks.)		
DIGEST OF ORDINANCES.		
Published when, and what	48	67
DISORDERLY CONDUCT AND HOUSES.		
Prohibited and regulate	8 (11)	18
To provide punishment and arrest	8 (10)	18
DONATIONS.		
Credits, gifts, etc., prohibited	41	48
Charities Commission of Davidson County	8 (6)	17
Water to Federal Mobilization camp	41	49
EDUCATION, BOARD OF.		
Appointed how	50	71
Budget of school expenses transmitted	50	71
Chairman of Board, selected by	50	71
Condemnation of school sites, General Act, 1913		
Expenditures within budget	50	71
Free textbooks	50	71
Insurance on employees	50	71
Members, impeachment of	5	14
Members, qualifications of	50	70
Members, nine compose Board	50	70
Members, appointed and confirmed by whom	7	16
Oath of members of Board	50	71
Over \$500.00, except salaries authorized, how	50	71
Pension provisions	50	72
Physical examination of teachers	50	72
Position, how filled	50	71
Quorum is five members	50	71
Rules made by	50	71
Rules for schools, how made	50	71
Salaries fixed by, how	50	71
School fund not diverted	31	41
School tax, special, authorized	30	41
State and county school tax paid by Trustee, to whom	50	71
Term of office	50	70
Tuition fees, to current budget	26	37
Teachers may live outside city	50	71
Under \$500.00 appropriated by	50	71
ELECTIONS.		
(See "General Elections," "Primary Elections," "Special Elections.")		
Polling places	66	93
ELECTRIC LIGHT PLANT.		
Civil Service employees under	46	67
Electric light plant authorized	8 (27)	20
Mayor controls	11	24
Superintendent of, appointed how	7	61

	Section.	Page.
EMINENT DOMAIN.		
Public works, etc.	8	(8) 17
School site purposes, General Acts, 1913.		
ENGINEERING DEPARTMENT.		
City Engineer, appointed how	7	16
City Engineer under Civil Service	46	67
Mayor supervises and controls	11	24
EQUALIZATION TAX BOARD.		
Action final, when	25	36
Certificate to assessment rolls	25	36
Jurisdiction, what	25	36
Meetings, time and place fixed, how	25	36
Members	25	36
Members, appointed how	7	16
EVIDENCE IN COURTS.		
Charter is public Act	59	92
Ordinance, etc., how approved and passed	6	15
Ordinance, how proved	59	92
Special assessment book or copy	42	(16) 62
EXPENDITURES.		
Affidavit as to interest	27	38
Authorized by City Council, when	10	(1) 21
Five hundred dollars and over	27	38
Hospital Board, make	49	70
Interest in prohibited	27	38
Mayor's power, to make	11	23
One thousand dollars and over	27	38
Originated by Board of Public Works	16	30
EXPLOSIVES AND COMBUSTIBLES.		
To regulate and prohibit storage of combustibles	8	(13) 18
To regulate and prohibit dangerous business	8	(12) 18
FINES AND PENALTIES.		
Appeals grantable, when	21	33
Contempt not over \$50 nor ten days	5	15
Non-attendance by Councilmen	4	14
Over \$50 not allowed	8	(31) 20
FIRE DEPARTMENT.		
Age limit to appointees	24	35
Chief appointed, how	7	16
Civil Service, under	46	67
Civil Service	24	34
Employed, how	11	22
Established by Ordinance	8	(23) 19
Mayor supervises and controls	11	24
Organization	44	66
Pensions	54	83
Salaries fixed	45	67
Substitutes not under civil service	24	36
Vacations	44	66
FIRE ESCAPES.		
Fire escapes erected and enforced by	8	(20) 19
FORESTALLING AND REGRATING.		
Food inspection of, restraining, etc.	8	(16) 19

	Section.	Page.
FORMER OFFICIALS ELECTED.		
Commissioners	65	93
Mayor holds unexpired terms	64	92
Officers and employees hold over	65	93
FRANCHISES.		
Election ordinance, final passage ninety days	35	47
Expenses for submitting, how paid	35	47
Extensions of existing, by majority	35	47
Franchises granted by ordinance	8	(21) 19
Referendum required	35	47
Renewal of, not before one year prior to expiration	35	47
FRONT FOOT ASSESSMENT LAW.		
(See "Abutting Property Paving Law.")		
GAS PLANT		
Gas plant authorized	8	(27) 20
GENERAL ELECTIONS.		
Bond ordinance submitted, how	34-35	46-47
Candidates must be nominated in primary	12	25
Councilmen	3	12
Corrupt practices	58	91
Franchises submitted at	35	47
Property qualifications of voter	13	26
Registered under State laws	13	26
Registration, supplemental	12	25
Recall, election	13	26
Security for costs of recall	13	27
State laws, election held under	13	26
Time held	12	25
Tie vote, re-referred to people	13	26
Voters' qualifications	13	26
GENERAL POWERS AND LIABILITIES.		
Administrative, in Mayor	11	21
Legislative, in City Council	3	12
Liabilities, limitations, and powers	2	11
Quasi-judicial, in City Council	5	14
GUTTERS.		
Abstract fee, lien, how ordered	56	(3) 91
Assessments, due when	56	(3) 89
Assessments, how made	56	(3) 89
Authority to construct	56	(1) 89
Bonds issued	56	(1) 89
Chancery Court has jurisdiction	56	(3) 90
City Attorney, collects when	56	(3) 90
Comptroller mails out notices	56	(3) 89
Construction provided for by ordinance	8	(25) 20
Delinquent assessments, how collected	56	(3) 90
Funds, from gutter payments rotate	56	(4) 91
Funds, not put in budget	56	(4) 91
Gutter book, how made up	56	(3) 89
Gutter book, kept by Comptroller	56	(3) 89
Illegality, waived by payment by installments	56	(3) 90
Installments, payment by, when waived	56	(3) 90
Installments, when payment by	56	(3) 90
Lien, attaches when	56	(3) 90
Lien, date of shown by minute book	56	(3) 90

	Section.	Page.
Lien, declared by ordinance	8	(25) 20
Lien, priority of	56	(3) 90
Method of collection	56	(3) 89
Minute book of orders, by whom kept	56	(3) 89
Mistake of name, does not invalidate	56	(1) 89
Notice of assessment due	56	(3) 89
Notice to owners to construct	56	(1) 89
Orders to construct, where kept	56	(3) 89
Ordinance, not necessary	56	(1) 89
Owners' right to construct	56	(1) 89
Payment, time of	56	(3) 89
Rotate, funds from gutter payments	56	(4) 91
Sums chargeable to owner	56	(3) 89
HEALTH DEPARTMENT.		
Civil service, officers under	46	67
City Health Officer, qualifications	20	32
City Health Officer, appointed how	7	16
Health Department under Mayor	11	21
Health regulations, quarantine, etc	8	(9) 18
Nuisances declared and abated by	8	(9) 18
Rules and regulations to secure	8	(9) 18
Rules and regulations to govern	20	32
Sanitary Disinfectior, office of	20	32
HOLD-OVER ELECTIVE OFFICERS.		
Commissioners	65	93
Mayor	64	92
HOME INDUSTRIES.		
Contractors favored when equal	27	39
HOSPITAL COMMISSION.		
Appointed and confirmed by whom	7	16
Appropriations from special and ordinary tax	49	70
Bonds of members of	49	68
Budget does not include collections	49	69
Created seven members, citizenship	49	68
Compensation of members, none	49	68
Employees, employed and salaries fixed, how	49	69
Expenditures not over \$150, made how	49	70
Organization of	49	68
Term of office	49	68
HOSPITALS.		
Administrator	49	68
Clinical privileges	49	69
Expenditures	49	70
How to establish and maintain	8	(9) 18
Illegal payment can be recovered	49	70
Internes, appointed how	49	69
Medical attendants	49	69
Monthly detailed reports, made to	49	69
Nurses' and employees' salaries, fixed how	49	69
Oath of members, what	49	68
Pay patients, clinical fees, revenues, kept how	49	69
Reports made to whom	49	69
Rules and regulations, made how	49	68
Revenue, kept and used how	49	69
Salaries, fixed how	49	69
Separate account of all revenues collected	49	69

	Section.	Page.
Staff	49	69
Tax levy, special, for one-third of one mill	49	70
Vouchers signed by Chairman	49	70

HUMANE COMMISSION.

Appointed and confirmed, by whom		16
Appropriations over \$500, made how	51	73
Created of five members, no pay	51	73
Cruelty to animals and children, jurisdiction over	51	73
Cruelty to animals and children, regulation of	8 (30)	20
Expenditures, how made	51	73
Fines set apart to credit of	51	73
First Board, who composes	51	73
Humane officers, employed how	51	73
Officers appointed and salaries fixed	51	73
Officers have police powers	43-51	65-73
Property acquired and controlled by	51	73
Qualifications of	51	73
Reports made quarterly	51	74
Rules for government, made how	51	73
Salaries, fixed how	51	73
Tax levy	51	73
Term of office	51	73
Vouchers signed by Chairman and Secretary	51	73

IMPEACHMENT.

Certiorari to Circuit Courts	5	15
City Council as Court of	5	14
Contempt, penalty for	5	15
Councilmen subject to	5	14
Mayor subject to	5	14
Notice of charges in writing	5	15
Officials not under civil service, subject to	5	15
Penalty, expulsion or suspension	5	15
Proof may be by deposition	5	15
Subpoenas	5	15

INSPECTIONS.

Building material	8 (14)	18
Coal, lumber, hay, etc	8 (15)	19
Provisions	8 (16)	19

JUDGE OF CITY COURT.

Appointed and confirmed by whom	7	16
Appeals	21	33
Compensation	21	32
Jurisdiction and powers	21	32
Jurisdiction over parks	52	76
Oath of office	21	32
Pardons, power to grant	21	32
Qualifications of	21	32
Term of office of	21	32

LABORERS.

How employed	11	22
Wages, how fixed	9 (3)	21
When and how discharged	11	22

LAW DEPARTMENT.

(See Title City Attorney.)	23	34
----------------------------------	----	----

	Section.	Page.
LEGISLATIVE POWERS.		
General welfare powers, residuary in	8	(32) 20
Vested in City Council	3	12
LIENS.		
Abutting improvement lien attaches, when	42	(*) 55
Abutting improvements, enforced how	42	(8) 54
Gutters, (See title "Gutters.")		89
Minute book notice of abutting improvement	42	(8) 53
Sidewalk and curb (See title Sidewalk and Curb.)		86
Taxes, ordinary and extraordinary	29	39
Weeds, for cutting	8	(9) 18
MAYOR.		
Administrative affairs of City, under	11	21
Bond	11	22
Board Public Works, Chairman of	16	29
Budget	11	24
Compensation, fixed how	8	(6) 17
Compensation, fixed how	11	21
Compensation, fixed by	57	91
Continued in office	64	92
Commissions, advisory to	67	94
Elected by City Council	7	16
Erroneous assessments corrected	29	39
General powers and authority	11	21
Impeachment	5	14
Officers appointed by	11	22
Officers subject to confirmation	7	16
Oath of office	11	22
Ordinances passed on his recommendation only	9	21
Qualifications	11	21
Removed, how	5-11	14-15-24
Secretary to	11	21
Temporary vacancies filled by	57	91
Term of office	11	24
Vacancy, filled how	11	22
Vouchers signed by	17	31
NUISANCES.		
Abated within one-mile radius of city	8	(9) 18
Declared and enforced	8	(9) 18
Expenses for abating, collected how	8	(9) 18
Lien for abatement of	8	(9) 18
OFFICES.		
Abolished, how	9	(1) 21
Appointed by Mayor, subject to confirmation	7	16
Appointed by Mayor	11	22
Bonds of, secured how	58	91
Bonds of appointive employees, fixed how	9	(2) 21
Created by ordinance on recommendation of Mayor	9	(1) 21
Continued in office	65	93
City Attorney, appointed how	7	16
Civil service, applicable to what offices	46	67
Compensation not by law, fixed how	9	(2) 21
Discharged by Mayor	11	22
How nominated, how filled	7	16
One office only by one official	39	48
Tax Assessor, appointed how	7	16
Temporary absence, filled by Mayor	57	91

	Section	Page.
NOTES ON BOND ISSUE.		
Amount of	33	44
Authorized by ordinance	33	44
Approved by City Attorney	33	45
Paid how	33	45
Referendum not necessary	33-34	44-46
Refunding notes	33	46
Sale for less than par, how	33	45
Special tax levy for	33	45
ORDINANCES.		
Abutting Improvement Bond	42	9 18 55 62
Amendments	6	16
Annexation of new territory, consent by	1	11
Ayes and Noes recorded	6	16
Bond, subject to referendum	31	46
Bonds of officers fixed by	9	1 21
Budget adopted by	11	24
Carried forward	62	92
City Council's powers, by	8	16
City Council's power by, on recommendation of Mayor	9	21
Digest of	48	67
Enacting clause	6	16
Enrollment of	6	16
Evidence of, what is	59	92
Fines, etc., for breach of	8	31 20
Franchise passed, how	35	47
Hours of day's labor, fixed by	9	2 21
Notes on bond issue by	33	44
Offices, created by	9	2 21
Passed, how	6	15
Penalty for violation, limit	8	31 20
Present adopted	62	92
Salaries fixed by	9	2 21
Signed by President	6	16
Tax Equalization Board, time of meeting fixed by	25	36
Vote on roll by call	6	16
Wages fixed by	9	3 21
Welfare clause, otherwise effective in 30 days	6	16
PARDONS.		
City Judge has power	21	32
PARK COMMISSION.		
Art Commission, may appoint	52	6 76
Art exhibits, provided by	52	5 75
Board of, created five members	52	1 74
Books of Account kept and open for inspection	52	7 77
Budget submitted to Mayor	52	6 76
Chairman of, selected how	52	3 74
Compensation of, none	52	2 74
Care, management, and control vested in	52	5 75
City Court has jurisdiction to preserve order in	52	5 75
Condemnation of property for parks, method	52	4 74
Condemnation of property for parks	8	8 17
Create system of public parks	8	26 20
Expenditures made within its funds	52	6 76
Funds belonging to	52	6 76
Gifts, donations, etc., for park purposes	52	5 75
Liens, vendor's, for deferred payments	52	4 74
Location of parks, power to	52	4 74

	Section.	Page.
Notes of indebtedness for purchase of parks	52	(4) 74
Oath of, taken	52	(2) 74
Ordinances and rules, power to make for parks	52	(5) 75
Organize Board, how	52	(2) 74
"Park Account," kept separate	52	(6) 76
Parks or playgrounds, regulation of use	8	(19) 19
"Park Property," defined	52	(8) 77
Payments deferred, made how	52	(4) 74
Punishment violation of rules, regulating use	52	(5) 75
Present Board continued in office	52	(1) 74
Police or agents of park may arrest	52	(5) 75
Police, special, under Park Board	52	(5) 75
Property for parks, acquired how	52	(4) 74
Qualifications of members	52	(1) 74
Report of Commissioners in December	52	(7) 77
Revenues, may anticipate how	32	43
Salary of Secretary and duties, what	52	(3) 74
Secretary selected for one year, how	52	(3) 74
Sold property, by	52	(4) 74
Tax levied for parks, special	52	(6) 76
Term of office, five years	52	(1) 74
Title to property in Chairman, when	52	(4) 74
Title to property in city when fully paid for	52	(4) 74
Vacancy, how filled	52	(1) 74
PENSIONS.		
(See title Civil Service and Pensions.)		34
Account pension funds	54	85
Book kept	24	36
Board created, who	24	34
Cases heard	24	35
Dues, amount, when paid	54	85
Firemen and police authorized	54	83
Powers of Board	54	83
Public School Pension Board	50	72
Tax levy for, special	54	83
Who entitled	54	(1-2-3) 83
POLICE DEPARTMENT.		
Age limit, members	24	35
Authorized	8	(28) 20
Chief appointed, how	7	16
Civil service, who under	46	67
Duties and jurisdiction	43	65
Humane officers, members of	43	65
Jurisdiction	43	65
Jurisdiction over parks	52	(5) 75
Mayor controls and appoints	11	23
Park policemen under Park Board	52	(5) 75
Pensions	54	83
Powers of	43	65
Salaries fixed	45	66
Substitutes not under civil service	24	36
Subpoenas served by	5-24	15, 35
PRIMARY ELECTION.		
Candidates, names, how gotten on ballot	12	25
Candidates, qualifications necessary, what	12	25
Corrupt practices	58	91
Laws under which it is held	13	26
Officers, judges, and clerks at, who shall be	12	25

	Section.	Page.
Place, date, hour of holding	12	25
Registration, supplemental and regular	12	25
Voters, qualifications same as general election.....	12	25
PRIVILEGES.		
Liscense, tax and regulate, means of conveyance.	8	65
PUBLIC ACT.		
Charter Act is a Public Act.....	59	92
Invalidities isolated.....	63	92
PUBLIC BUILDINGS.		
Bonds to replace	8	63
Care of public grounds	8	19
Erected, how	8	17
Humane Commission property.....	51	73
Park Board property.....	52	74
Sale of.....	41	48
Streets, etc., are.....	47	67
Transferred to new corporation.....	60	92
Use of limited.....	47	67
PUBLIC UTILITIES.		
Power to grant franchises.....	8	21
Rights of way in streets, how granted.....	35	47
Sale of by City.....	41	49
QUARANTINE LAWS.		
Extends within a radius of ten miles about the City.....	8	19
QUASI-JUDICIAL POWERS OF COUNCIL (See title Impeachment)		
	5	14
RECALL PROVISIONS.		
Amended petition, how and when made	13	27
Call, filed, etc., how	13	27
Candidates receiving highest vote	13	28
Election Commissioners, petition filed with.....	13	27
Election on recall, ordered by	13	28
Expense of, how secured.....	13	27
Petition for, necessary requisites.....	13	27
Removed by, cumulative method	13	28
Six months, not sooner than, can be filed	13	28
Successor of recalled officer holds unexpired term	13	28
REFERENDUM CLAUSE.		
Bonds.....	34	46
Extension city limits	1	11
Franchises.....	35	47
Sale, lease, or disposal of public utility, submitted.....	41	49
REGISTRATION OF VOTERS.		
General elections.....	12	25
Primary elections.....	12	25
Property qualifications	13	26
REPORTS.		
Hospital Commissioners, monthly.....	49	69
Humane Commissioners, quarterly.....	51	74
Park Commissioners, report in December.....	52	77
Sinking Fund and Bond.....	31	43

	Section.	Page.
RESOLUTIONS.		
Advertisement sale, etc., of bonds	42	(9) 56
Anticipation revenue notes	10	(2) 21
Authorize expenditures in excess of \$1,000	10	(1) 21
Compensation fixed	57	91
Enrolled	10	21
Gutter construction, authorized by	56	(1) 89
Proclamations, etc.	10	(3) 21
Revenue notes, authorized by	32	43
Salary authorized, when	57	91
Sidewalk and curbing construction, authorized by	55	(1) 86
REVENUE ANTICIPATION.		
Anticipation bonds or notes, how issued	32	43
Limit in liability	32	43
Referendum not required	34	46
SALARIES.		
Additional, compensation, etc.	28-39	39, 48
Absent from duty, when paid	57	91
By whom determined	9	(2) 21
City Attorney	9	(2) 21
City employees fixed by ordinance	9	(2) 21
Education Board, employees	50	71
Education Board, none	50	70
Expenses paid, when	28	39
Extra pay prohibited	28	39
Hospital Board, employees, etc.	49	69
Hospital Board, none	49	68
Hospital Board, Administrator	49	68
Hospital Board, medical attendants	49	69
Humane Board, none	51	73
Humane Board, officers and employees	51	73
Laborers' wages, fixed how	9	(2) 21
Mayor's fixed by Council	9	(2) 21
Officers' fixed by Ordinance	9	(2) 21
One position only, one salary	28-39	39, 48
Park Board, employees, etc.	52	(6) 76
Park Board, none	52	(2) 74
Park Board, secretary	52	(3) 74
Police and firemen	45	66
SANITATION.		
Supt. of, under Civil Service	46	67
SEAL.		
Common seal	2	12
Contracts, affixed to	11	24
SCHOOLS.		
(See "Education, Board of.")		
Schools, nonsectarian	8	(29) 20
SIDEWALKS AND CURBS.		
Abstract ordered by City Attorney	55	(3) 88
Assessments collected, how	55	(3) 86
Assessments for, paid by installments, how	55	(3) 87
Construction, provide for by ordinance	8	(25) 20
Delinquent assessments to City Attorney	55	(3) 87
Funds not put in budget	55	(4) 88
Installments, may pay by, how	55	(3) 87
Interest on which lien attaches	55	(3) 88

	Section.	Page.
Lien for construction	55	(3) 88
Lien for construction, provided for	8	(25) 20
Method of collection	55	(3) 86
Notice to abutting owners, how given	55	(1) 86
Ordinance not necessary	55	(1) 86
Owners' right to construct	55	(2) 86
Paid by installments, how	55	(3) 87
Power to construct, in whom	55	(2) 86
Priority of lien	55	(3) 88
Sums chargeable to owners	55	(3) 86
Time of payment for	55	(3) 86
SINKING FUND.		
Bonds bought and report made	31	42
Bonds of city alone, paid from	31	42
Created, ten per cent set apart each month	31	41
Disbursements from, rules and conditions	31	43
General fund, transfer to, when	31	42
Invested, how	31	42
Report on, to City Council	31	43
Revenue notes not subject to	32	43
Redemption bonds, prorated from	31	42
Special levies and proceeds of bonds excluded	31	41
Sale of bonds in	31	43
Sinking Fund Account, kept	31	41
Tax levy, for extraordinary	30	41
SPECIAL ELECTIONS.		
Annexation of new territory	1	11
Bond ordinances	34	46
Franchise ordinance	35	47
Held under State laws	13	26
Recall	13	26
Vacancy in City Council	3	13
Voters, qualifications	13	26
STREETS, SEWERS, ETC.		
Abutting property law	42	49
Eminent domain	8	(8) 17
Exclusive power to construct	11	23
Gutter improvement	56	89
Mayor controls	11	23
Opened, widened, etc., how	8	(7) 17
Public property	47	67
Sidewalks and curbs	55	86
Superintendent, under civil service	46	67
TAX ASSESSOR.		
Appointed how	7	16
Assessments by	29	39
Civil service, under	46	67
Duties	19	31
Qualifications	19	31
Oath	19	31
TAX EQUALIZATION BOARD.		
Certificate to books	25	36
How made up	25	36
Members appointed, how	7	16
Law governing	25	36
When does it sit	25	36

	Section.	Page.
TAX LEVY AND TAXES.		
Abutting Improvement Bonds, to retire.....	42	(12) 59
Additional levy other than ordinary.....	30	41
All property taxed.....	29	39
Assessment, by whom made.....	29	39
Assessment, property subject to.....	29	39
Chancery Court has jurisdiction to collect.....	29	40
Collected when delinquent, how.....	29	40
Deficiency, extra levy made up.....	30	41
Distress warrant, power to issue.....	29	40
Diversion prohibited.....	11	24
Extraordinary tax levy, for.....	30	41
Hospital tax levy.....	49	70
Humane Commission, purpose for.....	51	73
Interest and penalties, what.....	29	39
Lien for taxes.....	29	40
Levy and collection of taxes on property, privileges, etc.....	8	16
Merchants, stock and capital.....	8	(4) 17
Occupations taxed.....	8	(2) 17
Omitted assessments.....	29	40
Ordinary not higher than 1.1 per cent.....	30	41
Ordinary purposes, what are.....	30	41
Parks, special levy for.....	52	(6) 76
Pensions, special tax.....	54	83
Privilege tax.....	8	(2) 17
Property tax.....	8	(1) 17
School pension, special levy.....	50	72
Street improvement, special levy for.....	42	(9-12-18) 56, 59, 63
Special levy for Revenue Notes.....	32	44
Sales to collect through Chancery Court.....	29	40
Sales bought in by Mayor.....	11	23
Schools, special for.....	30	41
Tax Assessor.....	19	31
Transportation Facilities Bonds.....	53a	(5) 82
Taxes assessed for all purposes.....	29	39
Taxes levied, how.....	8	(1-2) 17

TRANSPORTATION TRUSTEES, BOARD OF.

Action ratified by City Council.....	53	(5) 78
Amendment of ordinance, by whom.....	53	(6) 78
Authority.....	53	(1) 77
Board, qualifications of members.....	53	(3) 77
Board, who compose.....	53	(2) 77
Bonds for raising funds.....	53a	(1) 80
Bonds, general obligation of city.....	53a	(3) 81
Bonds, registered.....	53a	(6) 82
Bonds, secured by mortgage.....	53a	(4) 82
Bonds, submitted to popular vote.....	53a	(2) 81
Bonds, tax levy to pay.....	53a	(5) 82
Certified copy of records, evidence.....	53	(11) 80
Compensation, none.....	53	(8) 79
Contracts, made by.....	53	(7) 78
Evidence, certified copy of records is.....	53	(11) 80
Executive and ministerial powers, vested in.....	53	(7) 78
Expenses, paid how.....	53	(8) 79
Funds for facilities, how raised.....	53a	(1) 80
Funds for facilities, how used.....	53a	(7) 82
Jurisdiction.....	53	(4) 77
Meetings, called and regular.....	53	(8) 79
Members, qualifications of.....	53	(3) 77

	Section.	Page
Minutes and records	53	(11) 80
Oath of, form and where filed	53	(10) 80
Ordinance, by whom amended	53	(6) 78
Ordinance of City Council necessary	53	(5) 78
Organization of	53	(8) 79
Power to acquire or dispose of	53	(1) 77
Powers of Board	53	(4) 77
Quorum	53	(11) 80
Recommendations to City Council	53	(5) 78
Records and minutes	53	(11) 80
Registration of bonds	53a	(6) 82
Reports, monthly	53	(7) 78
Street railways, not included	53	(4) 77
Tax levy to pay bonds	53a	(5) 82
Transportation facilities defined	53	(1-4) 77
Vacancies, how filled	53	(8) 79
Vacancy, for cause	53	(9) 79
TREASURER.		
Appointed by whom	7	16
Bond	18	31
Duties	18	31
Salary	18	31
VACANCIES.		
Civil Service Board, filled how	24	34
Councilmen, filled how	3	13
Education, Board of, filled how	50	70
Mayor, filled how	11	21
Park, Board of, filled how	52	(1) 74
Transportation trustees, Board of, how filled	53	(8) 79
Temporary, filled how	57	91
VOTERS' QUALIFICATIONS.		
Personal and property qualifications, what	13	26
Registered where	13	26
WHARVES.		
Erect, repair, etc., and fix rates	8	18) 19
WARDS.		
Boundaries	1	5
Fifteen	1	5
WATERWORKS DEPARTMENT.		
Assessment for water	8	22) 19
Authorized by ordinance	8	22) 19
Civil service, officers under	46	67
Condemnation for	8	8) 17
Free water to military camps	41	49
Mayor supervises and controls	11	24
Rates fixed by ordinance	11	23
Superintendent appointed and confirmed, how	7	16
WORKHOUSE.		
Established by Ordinance	8	24) 20
Imprisonment in, limited	8	24) 20
Keeper of	22	33
Mayor controls	11	23
Prisoners in	22	33
WEIGHTS AND MEASURES.		
Standard weights and measures fixed	8	16) 19
Scaler of, appointed by ordinance	8	16) 19

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